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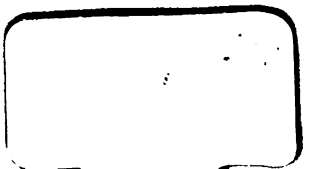

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ACTS AND PROCEEDINGS

OF

THE GENERAL ASSEMBLIES

OF THE

KIRK OF SCOTLAND,

FROM THE YEAR M.D.LX.

COLLECTED FROM THE MOST AUTHENTIC MANUSCRIPTS.

PART FIRST. M.D.LX.—M.D.LXXVII.

EDINBURGH, M.DCCC.XXXIX.

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At a Meeting of the Council of the MAITLAND CLUB, held at Glasgow, 8th January 1838 :—

RESOLVED,—"That the 'Booke of the Universall Kirk of Scotland,' be printed for the Members, from the text adopted by the BANNATYNE CLUB."

Extracted from the Minutes of the Club.

JOHN SMITH, Y^ger. *Secretary.*

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THE MAITLAND CLUB.

MARCH, M.DCCC.XXXIX.

THE RIGHT HONOURABLE

THE EARL OF GLASGOW,

[PRESIDENT.]

HIS ROYAL HIGHNESS THE DUKE OF SUSSEX.
JOHN BAIN, ESQ.
ROBERT BELL, ESQ.
SIR DAVID HUNTER BLAIR, BART.
BERIAH BOTFIELD, ESQ.
SIR THOMAS MACDOUGALL BRISBANE, BART. G.C.B.
HIS GRACE THE DUKE OF BUCCLEUCH & QUEENSBERRY.
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THE MAITLAND CLUB.

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THE MOST HONOURABLE THE MARQUESS OF BUTE.
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PATRICK FRASER TYTLER, ESQ.
ADAM URQUHART, ESQ.

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It having been resolved by the Committee of Management of the Maitland Club, to circulate immediately that portion of the Book of the Universal Kirk of Scotland already printed, and which has been calculated to amount to about one-third of the entire Work, reserving to the conclusion of the whole, an account of the Manuscripts that have been employed in its compilation; it may at present be enough to state, that its object has been to preserve whatever may yet be recovered of the recorded proceedings of the Assemblies of the Church, from the era of the Reformation, to the period from which its original Registers are still extant. Besides that abridgment of the earlier volumes of the Register, usually known under the title of "The Book of the Universal Kirk," the principal source from which the contents of this compilation have been derived, is the unprinted History of the Church by Calderwood, which embraces much larger and more authentic selections from the Registers than any other existing manuscript. All these additions to the Book of the Universal Kirk are inclosed in brackets, and distinguished by the letter C.; a few taken from Knox's History are denoted by the letter K.; and those passages where it has been occasionally found necessary to combine the contents of the leading Manuscript with those of Calderwood's History, are marked with the letters C. & B.

Edinburgh, *April* 22. 1839.

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THE BOOKE

OF THE

UNIVERSALL KIRK OF SCOTLAND:

WHEREIN THE HEADIS AND CONCLUSIOUNS

DEVYSIT BE THE MINISTERIS AND COMMISSIONARES

OF THE PARTICULAR KIRKS THEREOF

ARE SPECIALLY EXPRESSED

AND CONTAINED.

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A. D. M.D.LX.

THE Names of the Miniſters and Commiſſionars of the particular Kirks of Scotland, conveinit to conſult upon theſe things whilk are to ſett fordward Gods glorie, and the weill of his Kirk in this Realme, in Edinburgh the xx day of December 1560 yeirs.

Johne Knox miniſter, James Barron and Edward Hope, commiſſionars for Edinburgh.

Chriſtopher Gudman miniſter, David Spens and Maiſter Robert Kynpont, for St Androes.

Maiſter Johne Row miniſter, for the towne of Perth and kirk thereof.

William Darroche and William Norvell, for the towne of Striveling and kirk thereof.

Charles Drummound proveſt, James Witherſpoone and Andrew Mylne, for Lynlithgow.

Hew Wallace of Carnall, Johne Fullerton of Dreghorne and Charles Campbell of Skeldoun, for the kirks of Kyle.

George Hoome of Spott, for the kirks of Eaſt Lauthiane.

David Lindeſay miniſter, Andrew Lamb and Patrick Boyman, for Leith.

William Harlaw miniſter and Robert Fernelay of Braid, for St Cuthberts kirk.

William Chriſtefone miniſter, George Lovell and William Carmichaell, for Dundie.

Alexander Guthrie of Halkertoun, William Durhame of Grange, for Forfare.

Johne Areſkine of Dunne and Andrew Mylne, for Montroſe.

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The lairds of Tullievaird and Fethercairne, for the kirks of the Mernes.
The laird of Gairlies ȝounger, for the kirks of Nitheſdaile.
Maiſter David Weymis, for the kirk of Carnbie.
Maiſter Walter Balfour, for the kirk of Lyntoun.
Johne Broun, Thomas Boyd and James Polwart, for Torphichen.
William Lamb, William Bonkle, for Dumbar.
James Douglas, James More, for Calder Comitis.
John Kincaid, for Kirkliſtoun.
Maſter Robert Wynrhame, for Ratho.

The names of them whilk the miniſters and commiſſionars think maiſt qualified for the miniſtring of the word of God and ſacraments, and reiding of the commoun prayers publicklie in all kirks and congregations, and givin up be them every ane within there awin bounds.

In Kyle for reiding.

Ranken Davidſon, Richard Bannatyne, Robert Campbell, Hew Wallace, Andrew Lochart, Andrew Chalmer, James Dalrumple, Adam Landells, all reidars, and John Chalmer apt to teach.

In St Androes for miniſtreing and teaching.

Maiſters Johne Rutherfurd, William Ramſay, James Wilkie, Robert Hamiltoun, Patrick Conſtane, William Rynd, William Skene, Archibald Hamiltoun, Alexander Arbuthnet, James Kirkaldie, David Collaſſe, William Scott, David Weemes, Thomas Buchanan, David Spens, Robert Kynpont, Johne Wynrhame of Kirkneſſe, Alexander Spens, Johne Wood, David Guild, Robert Paterſone.

Uthers whilk are thoght apt and able be the miniſters and commiſſionars forſaids to miniſter.

Johne Areſkine of Dunne, Johne Fullertoun of Kynnaber, David Forres, Patrick Kyninmonth, Mr James Melvill, Richard Melvill, Maiſters Johne Kellow, Robert Montgomerie, Johne Hepburne, Thomas Hepburne, George Hepburne and William Lamb.

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Mr Johne Ramſay preſentit be Sir John Borthwick as miniſter for the kirks of Aberdoure and Tyrie.

December 21, 1560.

The miniſters and commiſſioners forſaids being aſſemblit, finds that the miniſtrie of the word and ſacraments of God, and aſſemblie of the peiple of the whole parochin of Reſtalrig, be within the kirk of Leith; and that the kirk of Reſtalrig, as a monument of idolatrie, be rayſit and utterlie caſtin downe and deſtroyed.

The queſtion being proponed anent mariage in ſecond and uther degries of conſanguinitie, forbidden be the Pope to be ſolemnizat betwixt parties, it is found that, of the law of God, mariage may be ſolemnizat betwixt parties beand of ſecond, thrid, and ferd degries of affinitie or conſanguinitie, and uthers ſick as are not prohibited expreſſely be the word of God; and therfor to deſyre the Lords and eſtates to interpone there authoritie, and approve the ſamein, and make lawes therupon.

December 27, 1560.

The kirk appointit the electioun of the miniſter, elders and deacons, to be in the publick kirk, and the premonition to be made upon the Sonday preceiding the day of the electioun.

The kirk appointed that to the puniſhment of fornication, the law of God be obſervit: Publick repentance to be made be them that ſall uſe carnall copulation betwixt the promiſe and ſolemnization of mariage.

[The petitioun of weights and meaſures was referrit to the Parliament.] C.

That all ſick as hes bein in the miniſtrie of the Popes kirk, good and well conditioned perſones, that they ſall live upon the almes of the kirk, with the number of poore.

Conſentit be the kirk that none be put in judiciall offices to be magiſtrates, as proveſt, baillies, and officers of townes, exceptand them who are knowin to be plaine and true profeſſours of the Evangell.

It is alſo thoght expedient that earneſt ſupplication be made to the eſtates of this realme in parliament, and to the lords of ſecreit counſell, that all judges ordinaire and officers judicial, ſick as the Lords of the Seſſioun, ſhireffis, ſtewarts, baillies, and uther judges ordinarie, be profeſ-

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ſours of the trueth of the true word of God; and all miniſters thereof to be removit fra ſick offices according to the civill law.

[Item To deſire the Eſtates in Parliament to take order with the confirmatioun of teſtaments, that pupils and orphans be not defrauded, and that lawes be made thereupon in their favours.] C

To aſke at the eſtates of parliament and lords of ſecreit counſell, for eſchewing of the wrath and judgement of the eternall God and removeing of the plagues threatned in his law, that ſharp puniſhment may be made upon the perſons underwriten, and uthers idolaters and mantainers thereof, in contempt of God his true religioun and acts of Parliament, whilk ſayes and cauſes meſſe to be ſaid and are preſent thereat within the places following.

In Nitheſdaile and Galloway.

The Pryor of Whitherne and his ſervants in Crugletone.
The Laird of Corſwell, in Corſwell.
The Lord Cairleill.
The Laird of Kirmichaell, who cauſes maſſe daylie to be ſaid, and images holden up, and idolatrie to be mantained within his bounds.

In Fyfe.

The Lairds of Balwerie and Lathriſk, and Mr John Scrymgeours wife.

In Kyle, Carrick and Cunninghame.

The Erles of Eglintoun and Caſſills, William Hamiltoun of Cambuſkeith, the abbot of Corſraguell, the parochiners of Mayboill, Girvan, Oſwald and Dalay, within the kirk whereof meſſe is openly ſaid and mantained.

In Eaſt Lauthiane.

Johne Carkettle in Markill cauſes meſſe daylie to be ſaid; the auld ladie Hoome in Thornetoun; the curate of Currie for abuſing the ſacraments.

In the Forreſt of Ettrick.

The goodman of Gallowſcheils, who not only cauſes meſſe to be ſaid, but als mantaines the ſayers thereof, who are enemies to God and his trueth, and therfor were exylit out of Edinburgh.

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The kirks conveinit continues this thair aſſemblie till the 15 day of Januar nixt to cum, and hes thoght expedient that the ſaid day ane comiſſionar at the leaſt be ſent fra every kirk, for requyring of ſick things of the parliament as ſalbe thoght for the weill of the halie kirk; and every commiſſioner preſent promitteth to come themſelves, or cauſe ſome others fra the kirk, the ſaid day to the brugh of Edinburgh to the effect forſaid; and ordains every commiſſioner, alſweill of townes as of paroch kirks to landward, to bring a roll with them of the whole teyndis, lands, annualls, profeits and emoluments of the paroch kirks nixt adjacent to them, and what perſones hes tacks thereof, to whom the ſamein pertains, and there names to be ſpecially named, and what duetie they pay for the ſamein.

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A. D. M.D.LXI.

At Edinburgh, the 26 of May 1561. The haill kirk conveinit in the Tolbuith of Edinburgh, hes determinit and thoght good that ane humble complaint be made and givin in, in thair names, tuitching the ſuppreſſion of idolatrie, and other points after following, to the Lords of Secreit Counſell.

In the firſt, for ſuppreſſing of idolatrie throughout the whole realme, and puniſhing the uſers thereof, maintainers of the ſamein, haunters and frequenters therto.

Item, for mantaining and ſpeciall proviſion to be made for ſuperintendents, for the erecting and eſtabliſhing of moe in places convenient, and for puniſhing of the contemners of the ſaid ſuperintendents and diſſobeyars of them.

Item, for ordour to be takin anent the abuſers of the ſacraments, and contemners of the ſamein.

Item, that no letters of the ſeſſioun be givin, to anſuer or pay to any perſon ther teinds, without ſpeciall proviſioun that the parochiners retaines ſae meikle in ther hands as is appointed to the miniſter; and that all ſick as are els givin be callit in and diſchairgit, and lykewayes that no ſhireff give precepts to that effect.

Item, that the ſeſſioun nor no uther judges proceid upon ſick precepts or warnings, paſt at the inſtance of them that hes obtained fewes of lait of viccarages, perſones manſſes, and kirkyeards.

Item, that no letters take place whill the ſtipends contained in the Booke of Diſcipline for ſuſtentation of the miniſters, be firſt conſignit in the hands at the leaſt of the principall of the parochiners.

Item, for ordour to be takin for the puniſhment of ſuch as purchaſes, and brings hame, and executes within this realme, the Popes bulles.

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[The tenour of the Supplicatioun.

Pleis your Honours, and the wiſdome of ſick as ar preſently conveined with you in counſaill, to underſtand, that be mony arguments we perceave quhat the peſtilent generatioun of that Romane antichriſt within the realme pretendis, to wit, that they wald of new erect thair idolatry, tak upoun thame to impyre above our conſcience, and ſo to command us, the treu ſubjectes of this realme, and ſick as God of his mercy hes (under our Soverane) ſubjected unto us, in all things to obey their apetites. Honeſty craveth, and conſcience movethe us, to mak the very ſecreits of our hairts patent to your honours in that behalf, quhilk is this, That befoir that evir theſe tyrantes and dum dogis impyre above us, and above ſick as God hes ſubjected unto us, that we, the barones and gentilmen profeſſing Chriſt Jeſus within this realme, have fullie determined to hazard lyfes, and quhatſoever we have receaved of our God in temporall thingis. We maiſt humely tharefoir beſeik your honours, that ſick ordour may be taiken, that we have not occaſioun to tak agane the ſword of juſt defence into our handis, quhilk we have willingly (efter that God hes gevin victory, bothe to your honours and us) reſigned over into your hands; to the end that Gods evangell may be publictly, within this realme, preiched; the trew preicheours thareof reſſonably ſuſteined, idolatry ſuppreſſed, and the comitteris thareof puniſched, according to the lawes of God and man. In doing quhareof, your honours ſall find us not onely obedient unto you in all things lawfull, bot alſo redy at all tymes to bring under ordour and obedience ſick as wald rebell againſt your juſt authority, quhilk, in abſence of our Soverane, we acknawledge to be in your hands, beſeiking your honours, with upricht jugement and indifferency, to luik upoun theſe our few artickles, and by theſe our brethren, to ſignifie unto us ſick anſwer agane as may declair your honours worthy of that plaice, quhairunto God (efter ſum dangers ſuſteined) in his mercy hath called yow. And let theſe enemies of God aſſure thameſelfis, that if your honours put not ordour unto thame, that we ſall ſchortely tak ſick ordour, that they ſall neyther be abell to do quhat they liſt, neyther yit to leve upoun the ſweit of the browes of ſick as ar no detteris unto thame. Let your honours conceave nothing of us, bot all humill obedience in God. But let the Papiſtes be yit ones agane aſſured, that thair pryde and idolatry we will not ſuffer.] K.

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May 28, 1561.

The kirk convenit, after that they heard the ſupplication and articles forſaid, beand put in forme, red in thair preſence, at length advyſit therewith, ordainit the ſamein to be preſented to the ſecreit counſell; and for preſenting thereof and obtaining of anſuers therto, nominat and ordained thir brethren after mentioned to awaite theron: The Mr of Lindſay, the Laird of Fernihirſt elder, Thomas Menzies proveſt of Aberdein, the laird of Lochinvar, the laird of Whittingham and George Lovell burges of Dundie.

Upon the whilk ſupplication, articles and ſute thereof was grantit and followit be the lords of ſecreit counſell, and act and ordinance therupon, with letters therupon, anſuering to every heid of the ſaid articles and ſupplicatioun, at length ſpecified in the act of ſecreit counſell made therupon; whilk is to be had in the hands of Johne Johnſtoun, ſcrybe therof, and letters and publication paſt therupon.

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A. D. M.D.LXI.

[At Edinburgh, the day of December 1561.]

The whilk day tuiching the ſlander takin be the horrible fact and impietie committed within this brugh under ſilence of night be Marques Dalbuiff and his colligues, in breaking up of Cuthbert Ramſay his ȝets and doores, and ſearching and ſeiking his dochter in law to oppreſſe her, as appeirit; it is thoght good be the haill kirk, that a ſupplicatioun be made and givin in to the Q. Majeſtie, in name of the profeſſours of the Evangell, and the perſons befor nominat preſent the ſamein, to ſeik the anſuer therof. The forme of the ſupplication followeth.

To the Q. Majeſtie and her ſecreit and great counſell, Her G. faithfull and obedient ſubiects, the Profeſſours of Chryſt Jeſus his holy Evangell, wiſhes the ſpirit of righteous judgement.

The feare of God conceivit of his holie word, the naturall and unfained love whilk we beare unto ȝour G. the duetie whilk we ow unto ȝour countrie, and the terrible threatnings whilk God pronounces againſt every realme and citie in the whilk horrible crymes are openly committed, and then be the committers obſtinately defended, compell us, ane great part of your ſubiects, humblie to crave of ȝour Grace upright and true judgement againſt ſick perſones as hes done what in them lyes to kindle Gods wrath agains this heale realme. The impietie be them committed is ſo haynous and ſo horrible, that as it is ane fact moſt vyle and rare to be heard of within this realme, and principallie within the bowells of this citie, ſo ſould we think ourſelves guiltie in the ſamein, if negligentlie, or yet for worldlie feare, we paſſe it over with ſilence; and therfor ȝour Grace may not think that we requyre any thing, whill that we crave oppin malefactors condignely to be puniſhed, but that whilk God hes commandit us to crave, and hes als commandit ȝour Grace to give to every ane of ȝour ſubiects; for be

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this linke hes God knitt together the prince and the peiple, that as he commands honour, feare, and obedience, to be givin to the powers eſtabliſhed be him, ſwa does he in expreſſe words command and declare what thing the prince aweth unto the ſubiects, to witt, that as he is the miniſter of God, bearing the ſword for vengeance to be takin on evill doers, and for the defence of peaceable and quyet men, ſwa ought he to draw the ſame without all partialitie ſwa oft as he is in Godis name requyrit therto. Seeing ſo it is, Madame, that this cryme ſo recentlie committed, and that in the eyes of zour heale realme now preſentlie aſſembled, is ſo haynous, for who heirtofoir have heard within the bowells of Edinburgh, zetts and dures under ſilence of night bruiſit up, houſes rypeit and that with hoſtilitie, ſeiking ane woman as appeirit to oppreſſe her, ſeing we ſay that this cryme is ſo haynous, that all godlie men feare not only Godis ſair diſpleaſure to fall upon zow and zour heale realme, but alſo that ſick libertie breid contempt, and in the end ſeditioun, if remeid in tyme be not gudlie provydeit, whilk in our judgement is impoſſible, if ſevere puniſhment be not execute for the cryme committed: Therfor we moſt humblie beſeik zour Grace, that all affectioun laid aſyde, ze declare zour ſelfe ſo upright in this caſe, that ze may give evident demonſtration to all zour ſubiectis, that the fear of God, joynit with the love of the commoun tranquillitie, have principall ſeat and dominion in zour G. heart. This forder, Madame, of conſcience we ſpeake, that as zour Grace in Godis name does crave of us obedience, whilk to render in all things lawfull we are moſt willing, ſwa in the ſamein name doe we, the haill profeſſours of Christs Evangell within this realme, crave of zou, and of zour counſell, ſharp puniſhment of this cryme; and for performance therof, that without all delay the principall actors of this moſt haynous cryme, and the perſewars of this intendit villany, may be callit befor the Cheife Juſtice of this realme, to ſuffer ane aſſyſe, and to be puniſhit according to the lawes of the ſamein, and zour Graces anſuer we moſt humblie beſeik.] R. K.

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A. D. M.D.LXII.

THE Convention of the Kirk of Scotland, gatherit in Edinburgh, the penult day of Junij 1562, in the whilk were preſent the Superintendents, Miniſters, and Commiſſionars afterwritten.

Superintendents.

Maiſters Johne Spotiſwood of Lauthiane, John Wynrhame of Fyffe, John Willock of Glaſgow, Johne Areſkine of Dun of Angus, Johne Carſwell of Argyle.

Miniſters and Commiſſionars.

Johne Knox miniſter of Edinburgh, James Barron and Edward Hope, commiſſionars, James Jong, Mr David Lindeſay miniſter at Leith, Patrick Cockburne and Johne Broun, commiſſioners, Mr John Craig miniſter at Halierudehouſe, John Hart and William Oſwald, commiſſionars, William Harlaw miniſter of St Cuthbert's kirk, Johne Burne miniſter of Muſſilbrugh, Mr Thomas Cranſtoun miniſter at Tranent, Alexander Forreſter miniſter at Libbertoun, Mr George Fuird miniſter of Dummanie, Mr David Weymis miniſter of Ratho, David Cunninghame miniſter of Lanerick, James Walker miniſter of Steinſtoun, Paul Methven miniſter of Jedbrugh, Mr George Hay miniſter at Eddilſtoun, Chriſtopher Gudman miniſter at St Androes, Mr George Leſlie miniſter at Straithmiglow, Richard Melvill miniſter at Inchbraock and Maritoun, Johne Douglas of Pumfreſtoun and John Dowglas in Howden, commiſſioners of the kirk of Calder, the laird of Spot commiſſioner for Dunbar, and diverſe in the Merſe, James Fleyming elder and commiſſioner of Glaſgow, the laird of Lye comiſſionar of Lanerick, the laird of Barre comiſſionar of Kyle, Johne Cathcart of Cariltoun comiſſionar of Carrick, Mr Robert Pont elder and comiſſionar of St Androes, Thomas Scott of Hayning comiſſionar for Selcraig and Melros.

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The whilk day the forenameit conveinit in Mr Hendrie Lands houſe, and after prayer, the heids and articles following were treated.

That unitie of doctrine may be retained among the miniſters, that errours may be avoydit, that maners may be reformed, vyce puniſhed without exception of perſons, and ſwa that vertue and knowledge may be univerſally planted through this realme.

Becauſe the lyves of miniſters aught to be ſick as therby uthers may be provockit to godlines, it becomes them firſt to be tryed; and therfor, after the tryall of the ſuperintendents, if any man have to accuſe them in life, doctrine, or execution of their office, the elders of every kirk man be chargeit in Gods behalfe, to declare there conſcience of there miniſters, tuiching there doctrine, lyfe, manners and converſation. If any be accuſed and convict of any notable cryme, he muſt be ſubiect to the cenſure of the kirk, and ſuffer puniſhment and admonition as they ſall pronounce.

After the miniſters, the elders of every kirk muſt be tryed, if any hes to lay to the charge of any of them. The accuſed, whether he be miniſter or elder, aught to be removed out of the aſſembly whill his cauſe be tryit; if he be convict, he can have no vote whill the kirk receive ſatiffactioun.

After tryall be tane of the haile, then man every ſuperintendent, with the miniſters and elders within his dyocie, expone to the kirk the ſtate of the kirk among them, note the offences and crymes that they know, to the end that the whole may devyſe ſome wholeſome remeid, or at leaſt make ſupplicatioun to the ſuperiour powers for the ſamein, and leaſt that confuſioun ſhould happin through raſhnes and haſtines, lotes wald be caſtin what dyocie ſhould firſt be heard, what ſecondlie, and ſwa foorth of the reſt.

[It was ordained, that if miniſters be diſobedient to ſuperintendents in any thing belonging to edification, they muſt be ſubject to correction.

It was ordained, that a charge ſhould paſs from every ſuperintendent to all miniſters within the bounds, to warn thair kirks of the order taken; to wit, that the ſaid ſuperintendents, miniſters, elders, and deacons doe willingly ſubject themſelves to diſcipline; and if any man have any thing to lay juſtly to thair charge, that they doe the ſame at the next Aſſembly, which is to be holden in December, and that no miniſter leave his flocke for coming to the ſaid aſſembly, except he have complaints to make, or elſe be complained on, or at leaſt be warned thairto be the ſuperintendent.] C.

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The ſecond Seſſioun haldin the laſt day of Junij 1562.

[It was anſwered by the Aſſembly to the petition of Mr Alexander Gordon, anent the ſuperintendentſhip of Galloway, firſt, that they underſtand not how he hath any nomination or preſentation, either be the Lords of Secret Counſell or province of Galloway. Secondly, Albeit he had preſentation of the lords, yet he has not obſerved the order keeped in the election of ſuperintendents, and therfor cannot acknowledge him for a ſuperintendent lawfully called for the preſent, but offered unto him their aid and aſſiſtance, if the kirks of Galloway ſhall ſuit, and the lords preſent; and requireth that before he depart, he ſubſcribe the Book of Diſcipline. Farther, it was concluded that letters ſhould be ſent to the kirks of Galloway to learn whither they required any ſuperintendent or not, and whom they required.] C.

It is concludit be the haill miniſters aſſemblit, that all miniſters ſalbe ſubject to ther ſuperintendents in all lawfull admonitiouns, as is preſcryvit alſweill in the Booke of Diſcipline as in the electioun of ſuperintendents.

[That ſo many miniſters as have been accepted of their kirks, after triall offered and liberty granted to them to receive or refuſe, ſhall remain as lawfull miniſters, unleſs from that time they have been found criminal in life or doctrine; and that ſuch as ſerve in the kirks without publick and free admiſſion, it ſhall be free for the kirks to receive or refuſe them, as they be able to render the cauſe why they refuſe.

That the examination of all theſe who have not been examined already ſhall be in the preſence of the ſuperintendent, and of the beſt reformed kirk within his bounds neareſt the place where the miniſter is to be eſtabliſhed; providing always that the judgement of the beſt learned being preſent be ſought in the examination and admiſſion, and that he who ſhall be ſo admitted ſhall not be removed, according to the order of the Book of Diſcipline.] C.

That ſuperintendents take count what bookes every miniſter hes in ſtore in the tyme of their viſitation, and how the ſaid miniſter, and every ane of them, does profite from tyme to tyme in reiding and ſtudying the ſamein.

[The Aſſembly ordained the ſuperintendent of Lothian to ſummond Michael Smith, pretended miniſter of Strabroke, to purge himſelf of certain

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crimes laid and to be laid to his charge; and Mr George Hepburn, parſon of Hauch, to anſwer to ſuch things as ſhall be laid to his charge.

The ſlander raiſed upon Mr Robert Hamilton, miniſter of Hamiltoun, was remitted to the tryal of the ſuperintendent of Glaſgow, to remove him out of the miniſtry if he thought expedient.

The Aſſembly decerned letters to be directed to the elders, deacons and whole kirk of Crail, to require them, as they would anſwer in the preſence of God, to ſignify to the Aſſembly with all diligence, whither Mr John Melvill thair miniſter was accuſed be the whole kirk, or be any privat faction; whither the whole kirk requireth his removal, or the moſt part, or only ſome particular perſones.] C.

The thrid Seſſion haldin the firſt of Julij 1562.

It is concludit that the miniſter ſall requyre his elders and every ane of them to aſſiſt him in all his lawfull aſſemblies; in the whilk if they be fund negligent, then ſall he proceid to all admonitiouns, according to the rule of Chryſt; whilk if they or any of them obey not, then ſall the miniſter, with ſo many of the kirk as will ſubſcryve with him, notifie the matter to the ſuperintendent, and if he be this can profite nothing, that then be his advyſe the inobedient be pronounced excommunicat; and the magiſtrate ſubiect to the rule of Chryſt be not exeimed fra the ſamein puniſhment, being fund guiltie or inobedient.

[Touching perſons to be nominat to kirks, that nane be admitted without the nomination of the people, and due examination and admiſſion of the ſuperintendent; and who have been otherwayes intruſed ſince the geir 1558, to make ſupplication for their proviſion according to the foreſaid act.

After the miniſters, exhorters, and readers had complained of the ſmalneſs of their ſtipends, it was concluded, that every ane of them ſhould give in their particular complaint to their ſuperintendents, ſhowing as well the valour of their ſtipend, as why they cannot live reaſonably thairupon, that the Aſſembly may make ſupplication to the Quenis Grace and Counſell for redreſs of the ſame; and this is to be done before the laſt day of September next to come.

And in like manner, becaus many miniſters complain of not payment of their ſtipends, in default of the third of divers perſons given be the

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Quenis Grace to theſe who are in poſſeſſion of the kirks preſently, it was thought good to require of her Highneſs and Counſell, that order might be taken how the ſaid complainers might be payed.

Alſwa in conſideration that the miniſtry in certain burrowes complained for want of their ſtipends allowed unto them, becauſe of the ſmalneſs of the third part of the teinds given to her Highneſs pertaining to the ſaids burrowes, it was thought good to crave of her Majeſty and Counſel how the ſaids miniſters ſhould be ſuſtained.] C.

To make ſupplication to the hier powers for the manſſes and aikers to miniſters to dwell in, according to the Booke of Diſcipline, and the kirks to be repairit that are decayit, conforme to the act of the Lords of the Secreit Counſell pronouncit before the Quenis Graces hame comeing.

[In like manner, to prefer ſupplication for the poor and their ſupport; for maintainance of ſchools for inſtruction of the youth in every pariſh; and the ſame to be taken of the twa part of the teinds, and within burrows of the annual rents, and other ſuch things as before ſerved to idolatrie.

The 4th Seſſion haldin the 2d day of July.

At the deſire of the Aſſembly, compeared Mr John Sharp, and after long reaſoning be the ſaid Mr John, it was aſked whither he would ſerve in the kirk of God in ſuch place as the Aſſembly would place him into. He anſwered, he was content to beſtow the gifts he had to the comfort of the kirk of God; but for ſo much as the charge required the preaching of the Evangel and miniſtration of the ſacraments, the conſideration of his preſent ignorance in the Scriptures, could not accept the ſame till the time of farther knowledge. The Aſſembly finding him able to preach the word and miniſter the ſacraments, as he had done before times, charged him to reenter to the miniſtry, the place where he ſhould miniſter being reſerved to farther deliberation.

It was ordained that Mr Craig ſhould be joined with Mr Knox in the miniſtry of Edinburgh; that Mr James Greg ſhould aſſiſt the ſuperintendent of Glaſgow till Michaelmaſs next to come, and thereafter to teach in the pariſhes belonging to the Lord Areſkine, till the next Aſſembly.

Mr George Hay the ſuperintendent of Glaſgow, Mr Robert Hamilton miniſter of Machline and Uchiltrie, were appointed to preach in the un-

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planted kirks of Carick ſucceſſively one after another monthly till the next Aſſembly.

Mr James Pont was appointed to miniſter the word and ſacraments in Melroſs till the next Aſſembly; Mr Robert Pont appointed to miniſter till the next Aſſembly in Dumblane.] C.

The fyft Seſſioun, haldin at Edinburgh the 3d of Julij 1562.

[David Forreſt was requeſted to take on the Miniſtrie.] C.

The haill kirks appoints and deſcernes Mr John Sharp and Robert Wilſon to miniſter in ſik kirks as ſalbe thoght good be the kirk.

The ſaxt Seſſioun, 4 July 1562.

[It was concludit that Mr John Sharp ſhould reenter in the miniſtrie, and to ſerve in the kirk whilk the ſuperintendent of Lothian ſhould appoint, and if he refuſed, that the cenſures of the kirk be execute againſt him.

David Forreſt's anſwer was referred to the ſuperintendent of Lothian and kirk of Edinburgh; Mr Patrick Cockburn, Mr Thomas Hepburne, Mr David Lindſay, or elſe Mr John Craig, were appointed to teach in the unplanted kirks of the Merce thair month by courſe.

John Dowglaſs of Pumferſton, complaining in name of the kirk of Calder, that they are defrauded divers times of the preaching of the word, ſince their miniſter was elected ſuperintendent of Lothian, deſired the ſaid ſuperintendent to be reſtored to them again, or ſome qualified miniſter to be provided to them. It was anſwered, the profit of many kirks was to be preferred to the profit of one particular, and that the kirk of Calder ſhould either be occupyed be himſelf, or be ſome other qualified perſon in his abſence, which could not be otherways helped in this rarity of the miniſtry, and that they ſhould have complained when the publick edict was ſet furth 20 days before his admiſſion.

The Aſſembly being informed that Mr David Spenſe gave inſtitution, by vertue of the Popes bulls, to Mr Robert Auchinmouty, of the prebendry of Ruſſell, the 25 of June laſt by paſt, ordained that the ſuperintendents of Fife and Lothian take order reſpective with the foreſaid perſons,

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and to informe the Juſtice Clerk, to call them to particular diets for breaking of the Quenis acts, if they find the matter clearly tryed, and that the ſuperintendent of Lothian ſignify the matter to the Duke.] C.

Touching the removeing of idolatrie, the kirk now as of befoir, concludes humble ſupplicatioun to be givin in to her Hienes; but the maner how, they have referrit to further conſultatioun of the godly of her Majeſties ſecreit counſell.

Item, That ſupplication be made to her Hienes for puniſhing of all vyces commanded be the law of God to be puniſhed, and ȝet not commandit to be puniſhed be the law of the realme; viz. blaſphemie of Godis name, contempt of his word and ſacraments, profanation of the ſamein be ſik as were not lawfullie callit to the miniſtration thereof, perjurie and takeing of the name of God commonly in vaine, breakers of the Sabbath day in keiping of commoun mercatts, adulterie, fornication, filthie talking; and further, that puniſhment be exactit upon the tranſgreſſours of the laſt proclamation made agains maſſe mongers or heirars.

[Item, that ſuit be made to the Juſtice Clerk, for order to be taken with Mr William Scott of Balwery, for diſobedience to the ſuperintendent of Fife, and Mr James M'Verit in Bute, for diſobedience to the ſuperintendent of Argyle.

Item, that ſupplication be made to the ſecret counſell, for aſſiſtance of the ſuperintendent of Angus to viſit the ſherifdoms of Aberdeen and Bamf, according to the commiſſion given to him be the Aſſembly in December laſt by paſt. This Aſſembly joined to him as aſſociats Mr Chriſtopher Gudman and Mr John Row.] C.

Anent the actiouns of divorcements, to make ſupplicatioun to the ſecreit counſell, that either they give up univerſallie the judgement of divorce to the kirk and their ſeſſiouns, or els to eſtabliſh men of good lyves, knowledge and judgement, to take the order thereof; provyding alwayes that the ſaids Lords make proviſioun and ordinance how the guiltie perſons divorced ſalbe puniſhed.

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[The tenour of the Supplicatioun which was to be preſented to the Quenis Majeſty and her Counſell was red in oppin audience of the Aſſemblie and approved as followeth :—

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To the Quenis Majeſtie, and her moſt honorable Privie Counſaill, the Superintendents and Miniſters of the Evangell of Jeſus Chriſt within this Realme, togidder with the Commiſſionars of the haill Kirk, deſyre Grace and Peace from God the Father of our Lord Jeſus Chriſt, with the Spirit of righteous judgment.

Having in mynd that fearfull ſentence, pronunced by the eternall God againſt the watchmen that ſee the ſworde of Gods puniſhment approche, and do not in plane words forewarne the people, yea, the princes and rewlars, that they may repent, we cannot bot ſignifie unto your Hienes and Counſaill, that the ſtate of this realme is ſik for this preſent, that unleſs redreſs and remedie be ſchortly provyded, that Godis hand cannot long ſpair in his angre, to ſtryke the head and the taill; the inobedient prince and ſinful people: For as God is unchangeable and trew, ſo must he puniſch in theſe our dayes, the grevous ſinnes quhilk befoir we reid he hes puniſched in all ages, efter that he hes long called for repentance and none is ſchawn.

And that your Grace and Counſall may underſtand quhat be the things we deſyre to be reformed, we will begin at that quhilk we aſſuredly know to be the fontane and ſpring of uther evils that now abound in this realme, to wit, that idoll and baſtard ſervice of God, the Meſs. The fountain we call it of all impietie, not only becaus manie tak bauldnes to ſin by reaſone of that opinion quhilk they have conceaved of that Idoll, to wit, that by the vertew of it they get remiſſion of thair ſinnes, but alſo becaus that under the color of the Meſs, ar hoores, adulterars, drunkards, blaſphemars of God, of his holie Word and Sacraments, and ſik uther manifeſt malefactours, mainteyned and defended; for let any Meſſ-ſayer, or earneſt manteyner thairof be deprehended in any of the forenamed crymes, na executioun can be had, for all is done in hatrent of his religioun, and ſo ar wicked men permitted to live wickedlie, clocked and defended by that odious Idoll. Bot ſuppoſing that the Meſs wer occaſioun of na ſik evills, yet in the ſelf it is ſo odious in Gods preſens, that we cannot ceas with

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all inſtance to deſyre the removing of the ſame, alſweill from yourſelf as from all uthers within this Realme, tacking heavin and eirth, yea, and your own conſcience to record, that the obſtinat manteynance of that Idoll ſall in the end be to you deſtructioun of ſaull and body.

If your Majeſty demand, quhy that now we ar more erneſt then we have bene heirtofore; We anſwer, (our former ſilence no ways excuiſed) becaus we find us fruſtrat of our hope and expectatioun; quhilk was, that in proceſſe of tyme your Graces hart ſould have bene mollifyed, ſo ſar as that ye wald have hard the publict doctrine taught within this Realme; by the quhilk, our farther hope was, that Gods Halie Spirit ſould ſo have moved your hairt, that ye wald have ſuffered your religioun (quhilk before God is nothing bot abominatioun and vanitie) to have bene tryed by the trew tuich-ſtane, the written word of God; and that your Grace finding it to have no ground nor foundatioun in the ſame, ſuld have gevin that glory unto God, that ye wald have prefered his treuth unto your own preconceaved vain opinion, of quhat antiquitie that ever it hes bene. Quhareof we in a pairt now diſappointed, can no longer keape ſilence, unleſs we wald mak our ſelfis criminall befoir God of your blude, periſching in your own iniquitie; for we planely admoniſche you of the dangers to cum.

The ſecound that we requyre, is puniſchment of horibill vices, ſick as ar adultery, fornicatioun, oppin horedome, blaſphemy, contempt of God, of his Word and Sacraments; quhilks in this Realme, for lack of puniſchment, do even now ſa abound, that ſin is reputed to be no ſin. And thairfore, as that we ſee the preſent ſignes of Gods wrayth now manifeſtly appear, ſo do we forewarne, that he will ſtryke, or it be long, if his law without puniſchment be permitted thus manifeſtly to be contemned. If any object, that puniſchment cannot be commanded to be executed without a Parliament; we anſwer, that the eternall God in his Parliament hes pronunced death to be the puniſchment for adulterie and for blaſphemie; quhoſe acts if ye put not to executioun (ſeeing that Kings ar but his lieutenants, having no power to give lyfe, quhare he commands death) as that he will repute you, and all uthers that foſter vice, patrons of impietie, ſo will he not faill to puniſch you for neglecting of his judgements.

Our third requeſt concernes the pure, quho be of thre ſorts: The pure laborars of the ground; the pure deſolate beggars, orphelins, widowes, and

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ſtrangears; and the pure miniſters of Chriſt Jeſus his halie Evangell, quhilk all ar ſo cruelly entreated by this laſt pretended ordour takin for ſuſtentatioun of miniſters, that thair latter miſery far ſurmounteth the former; for now the pure laborars of the ground ar ſo oppreſſed by the cruelty of thoſe that pay thair thrid, that thay for the moſt pairt advance upon the pure, quhatſoever they pay to the Quene, or to any uther. As for the very indigent and pure, to quhom God commandes a ſuſtentatioun to be provyded off the teyndes, they are ſo deſpyſed, that it is a wonder that the ſone giveth lycht and heat unto the earth, quhare Gods name is ſo frequently called upoun, and no mercy (according to his comandements) ſchawin to his creatures.

And as for the miniſters, thair livings are ſo appoynted, that the moſt pairt ſall live but a beggars lyfe. And all cometh of that impiety, that the ydle bellies of Chriſts enemies mon be fed in thair former delicacy. We dar not conceill from your Grace and Honours our conſcience, quhilk is this, That neyther by the law of God, neyther yet by any juſt law of man, is any thing dew unto thame, quho now moſt cruelly do exact off the pure and riche, the twa pairts of thair benefices, as they call thame. And thairfore we moſt humilly requyre, that ſome uther ordour be takin with thame, nor that they be ſet up agane to impyre above the peple of God, eyther yet above any ſubject within this realme; for we fear that ſik uſurpatioun to thair formare ſtate, be nether in the end pleaſing to thame-ſelves, nor profitable to thame that wald place thame in that tyranny. If any think that a competent living is to be aſſigned to thame, we repugne not, provyded that the labourars of the ground be not oppreſſed, the pure be not utterly neglected, and the miniſters of the word ſo ſcharply entreated as now they ar. And ſynalie, that thoſe ydle bellies, quho by law can crave nothing, ſall confeſs that they receive thair ſuſtentatioun, not of debt, bot as of benevolence. Our humble requeſt is thairfore, that ſome ſuddane ordour may be takin, that the pure labourars may find ſome relief, and that in every parochin ſome portioun of the teynds may be aſſigned to the ſuſtentatioun of the pure within the ſame. And lykwyſe that ſum publict relief may be provyded for the pure within burghis, that collectors may be appoynted to gather, and right ſchairp countes may be taken, alſweill of thair receat as of thair delyverance. The farther conſideratioun to be had to our miniſters, we in ſum pairt remitt to your wiſdomes, and unto thair particular complaints.

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Our fourt petitioun is for the manſes, yairds and gleibs juſtly apperteining to the miniſters, without the quhilk it is impoſſible unto thame quyetly to ſerve thair charges; and thairfore we deſyre that ordour be takin thairintill without delay.

Our fyft concerneth the inobedience of certane wicked perſones, who not only truble, and have trubled miniſters within thair functiouns, bot alſo diſobey the ſuperintendents in thair viſitatioun; quhareof we humblie crave remedy; quhilk we do not ſa mekle for any fear that we and our miniſters have of the papiſtes, bot for the love we bear to the commone tranquillity. For this we cannot hyd from your Majeſtie and counſaill, that if the papiſts think to triumph quhare they may, and to do quhat they liſt, quhare thair is not a pairtie able to reſiſt thame, that ſum will think, that the godly mon begin quhare they left, quho heirtofore have borne all things patiently, in hope that lawes ſuld have brydled the wicked; quhareof if they be fruſtrat, (albeit that nothing be more odious to thame then tumults and domeſticall diſcords) yet will men attempt the uttermoſt, befoir that in thair awn eyes they behold that hous of God demoliſched, quhilk with travell and danger God hath within this realme erected by thame.

Laſt, we deſyre that ſick as have receaved remiſſioun of thair thriddes, be compelled to ſuſtene the miniſterie within thair boundes, or els we forwarne your Grace and counſaill, that we feir that the peple ſall retene the haill in thair hands, untill ſick tyme as thair miniſters be ſufficiently provyded. We farder deſyre the kirks to be repared according to an act ſett forth by the Lords of the Secret Counſaill, befor your Majeſties arryvall in this country: That juges be appoynted to hear the cauſes of divorcement; for the kirk can no longer ſuſtene that burthen, eſpecialie becaus thair is no puniſchment for the offendars: That ſayers and hearers of meſs, prophaners of the ſacraments, ſik as have entered into benefices be the Paipes bulles, and ſick uther tranſgreſſors of the law maid at your Graces arryvall within this realme, may be ſeverely puniſched; for els men will think that thair is no treuth ment in making of ſik lawes. Farther, we maiſt humely deſyre of your Grace and Honorabill Counſaill, a reſolute anſwer to every ane of the heades forewritten, that the ſame being knawn, we may ſumquhat ſatiſfie ſik as be grevouſly offended at manifeſt iniquity now maintyned, at oppreſſioun under pretext of law done againſt the pure, and at the rebellious diſobedience of many wicked perſons againſt Gods word and holy ordinance.

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God the Father of our Lord Jeſus Chriſt, ſo reull your hairtes, and direct your Grace and Counſaills jugements by the dytament and illuminatioun of his Holie Spirit, that ye may anſwer ſo as that your conſciences may be abſolved in the preſence of that rychteous Juge, the Lord Jeſus; and then we doubt not bot ye yourſelves ſall find felicity, and this pure realme, that lang hes bene oppreſſed by wicked men, ſall injoy tranquillitie and reſt, with the trew knowledge of God.] K. C.

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And ſwa diſſolves this Aſſemblie, and appointit to conveine again the xxv of December nixt to cum in Edinburgh.

Sic ſubſcribitur,

JOHNE GRAY.

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A. D. M.D.LXII.

THE Generall Aſſemblie of the Kirk of Scotland conveinit at Edinburgh the xxv of December 1562; in the whilk were preſent the Superintendents, Miniſters and Commiſſionars.

The whilk day the foirnameit aſſembleit in the auld Counſell houſe. John Knox miniſter of Edinburgh callit upon Goddis name for the aſſiſtance of his holie ſpirit.

[Mr Robert Cumming ſchoolmaſter of Arbrothe was complained upon be the Laird of Dun Superintendent of Angus and Mernes, for infecting the youth committed to his charge with idolatrie. C.]

Seſſio 2a haldin the 28 of the ſaid month.

[According to the order takin at the laſt Aſſemblie, becaus the Superintendent of Lowthian was abſent who ſould firſt have been tryed, the Superintendent of Fife was removed, and the miniſteris and commiſſioneris of the ſaid diocie who wer preſent for the time wer required if they or any of them had any thing to lay to his charge touching his manneris, converſatioun, doctrine, and executioun of his office, that they would declair it. It wes murmurit be ſindrie miniſteris, that he wes ſomewhat ſlack in his viſitatiounis, and remanit not at the kirkis for ordering ſuch things as wer neceſſar for the ſame; that he wes too much gevin to wordlie affairis, ſlack in preaching, raſh in excommunicatioun, ſharper nor became him in making acts for payment of ſmall tithes.

The Superintendent of Angus wes removed next. It wes laid to his charge, that there wer manie popiſhe preiſtis, unabill and of wicked life, admitted to reading at kirkis within his diocie. 2. That some ȝoung men wer raſhlie admitted to the miniſtrie, and to be exhortaris, without ſuch trial and examinatioun as ar required in the Book of Diſcipline. 3. That gentilmen of vitious lives wer choſen to be elderis in divers kirkis. 4. That

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ſundrie miniſteris under his juriſdictioun remanit not at thair kirkis, viſit not the ſeik in thair extremitie, and alſua that the zouth is not inſtructed. 5. That ſome miniſteris come ouer lait to the kirkis wher they ſould preach on the Lordis day, ſo that the peopill doe wearie ſtaying upon thaim, and incontinent the ſermon being ended, they depart. 6. That the miniſteris reſort not to the exerciſe, according to the order ſet down in the Book of Diſcipline.

The Superintendent, after he came in again, rendered up the Commiſſion he received from the Aſſemblie for viſiting the North, and eſtabliſhing miniſters, elders and deacons in the kirk.

Thereafter the miniſters of Fife wer removed, and the Superintendent and Commiſſioners wer required to declair what they knew to be laid to their charge. Then the miniſters of Mernes and Angus wer removed and tryed. Then the Superintendent of Lothian, now being preſent, was removed and tryed. It was required be the Commiſſionars of Edinburgh, that he wold ſometimes preache in their Kirks, as the principall roume within his Juriſdiction: and others required, that he wold viſite Muſſilburgh and Stirling oftener. Thereafter the Miniſters of Lowthiane and Stirling-ſhire war removed and tried.

It was concluded, That the Superintendent ſall cauſe preſent the names of Miniſters, Exhorters and Readers, to the Lords appointed be the Queen's Majeſtie for aſſigning of their Stipends, and that in thir preſentations be ſpecified the entrie of theſe that ar preſented, to be at Allhallowmes, Lambmes, Candlemes or Beltan, togither with the yere of God, that they may receive payment at the terme after their entrie, and ſua ſurthe quarterlie. And if it ſall happen that anie Miniſter, Exhorter or Reader depart at the pleaſure of God, the intrant ſall receive payment *pro rata ſervitii*; that the executors of the defunct ſall receive payment for the time he hath ſerved: And this order to be obſerved hereafter. Anent the ſuſtentation of the miniſters, exhortars and reidars within burrowes, my Lord Controller requyrit the haill comiſſioners of burrowes preſentlie conveinit at this aſſemblie, that they wold ſignifie unto him by word or write within ane competent ſpace, what releiſe they wold make to the ſuſtentation of the miniſters forſaid, in reſpect that they were befor burthened with diverſe charges for uphalding of ſick as called themſelves miniſters in the abuſed kirk. C.]

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Seſſio 3ª haldin the 29 of December 1562.

The kirk preſentlie aſſemblit ordaines that inhibition ſalbe made to all and ſundrie perſons now ſerving in the miniſtrie, who hes entrit being ſlanderous befor in doctrine hes not ſatisfied the kirk. Secondlie, that hes not bein preſented be the peiple or ane pairt thereof to the ſuperintendent, and he after examination and tryall hes not appointed them to their charges, and this act to have ſtrength as weill againſt them that are callit biſchops as uthers pretending to any miniſtrie within the kirk: [And ordaineth the ſame act to be promulgat be the ſuperintendents in their diocies; and where there ar not ſuperintendents, be commiſſioners ſent from the Aſſemblie, the copie thereof to be affixed upon the principall kirk-doores. And if anie perſon, after inhibition made, contemptuouſlie continue in his miniſtrie, the Aſſemblie ordaines to proceed againſt him be cenſures, to excommunication, unleſs be his letters to the commiſſioners, or nixt ſuperintendent, he give ſignification of his obedience, and promiſe to accept the ſame charge according as they ſall command him. And in that caſe the Aſſemblie decerned, that with libertie and freedom of conſcience, and alſo without danger of the former paine, he may continue in his miniſtrie till the nixt Aſſemblie; at which time it is ordained, that they preſent themſelves before the Aſſemblie. And that this act comprehend alſo exhorters and readers.

Becaus it is complained, That the north countrie for the moſt part was deſtitute of miniſters, and that the order of the election and admiſſion of the ſuperintendent of Aberdeen was not putt in execution; the Aſſemblie appointed Mr George Hay, Mr Johne Row and Adam Heriot, to be proponed in lites to the ſaid kirk, and edicts to paſs furth thereupon with all expedition; and committed the charge of inauguration of the perſon elected, to the Superintendents of Fyfe and Angus, and ſuche learned men as they ſall choſe; and appointed the kirk of Old Aberdeen to be the place of admiſſion. And in caſe ather Mr Johne Row or Adam Heriot ſalbe elected to the ſaid office, the Aſſemblie nominat Mr James Wilkie, Patrick Couſton and Robert Hamilton, to be proponed in lites to the kirks deſtitute of their miniſtrie.

A commiſſion was given to Mr Johne Hepburne Miniſter of Brechin, to paſs to Murray, and there to preache the goſpell; and if it ſall chance that

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he ſall find anie qualified perſons apt to be miniſters, exhorters or readers, that he ſend them to the ſuperintendent to be appointed for Aberdeen and Bamf, to be tried, and admitted to their offices reſpectivé: And it was ordained this commiſſion ſould endure till the nixt Aſſemblie.

David Forreſt, notwithſtanding he objected his owne inabilitie, was charged by the whole Aſſemblie, as he wold avoide diſobedience to their voices, without farther delay, to addreſſe himſelf to enter in the miniſtrie where he ſalbe appointed, ſeing it was knowen ſufficientlie that he was able for that function. He and Mr Patrick Cockburne war proponed in lites for the Superintendentſhip of Jedburgh. It was decerned, that edicts ſould be ſett furth for their admiſſion againſt the firſt Lord's day of Marche nixt to come in the kirk of Jedburgh. The ſuperintendent of Lowthiane, Mr Knox, and ſuch other learned men as they ſould chooſe to aſſiſt them, war appointed to inaugurate the perſon elected.

For the planting to kirks in the Shirefdoms of Dumfries, Galloway and Nithiſdaill, and the reſt of the Weſt Daills, the Aſſemblie nominat in lites for the Superintendentſhip, Mr Alexander Gordon entituled Biſhop of Galloway, and Mr Robert Pont miniſter of Dunkell: Ordained edicts to be ſett furth for the admiſſion upon the laſt Lords day of April, and appointed the Superintendent of Glaſgow, Mr Knox miniſter of Edinburgh, Mr Robert Hamilton miniſter of Vchiltrie and Mauchlin, and other learned men, to be preſent at the inauguration of the perſon elected; the place of admiſſion to be the pariſh-kirk of Drumfries. In the meane tyme the Aſſemblie giveth commiſſion to Mr Alexander to admitt miniſters, exhorters and readers, and to doe ſuch other things as war before accuſtomed in planting of kirks. C.]

Mr Archibald Keith, miniſter of Logie and Balmerinoch, was diſcernit be the Kirk to be tranſlated fra the forſaids kirks to ſick place as where his ſtipend ſould be more aboundantlie givin him, in caſe he be not reaſonablie ſatiſfiet be the Lords appointit to modifie the miniſters ſtipends, provydit that he change not at his awin privat opinion; but to have therein the judgement and appointment of the Kirk, who ſall give there judgement heirin or this Aſſemblie be diſſolved.

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Seſſioun 4, haldin the 30 day of December 1562.

[Commiſſion was given to Mr Knox to goe to Jedburgh, and to take triell upon the thrid day of Januarie nixt to come, of the ſlander raiſed againſt Paul Methven late miniſter of the ſaid burgh; and after triell, to report to the ſeſſion or conſiſtorie of the kirk of Edinburgh, to whom, with the Superintendent of Lowthiane, the Aſſemblie giveth power to diſcerne, and pronounce ſentence. C.]

The kirk preſentlie aſſemblit gives power to every ſuperintendent within there awin bounds, in there aſſemblies ſynodall, with conſent of the maiſt pairt of the elders and miniſters of kirks, to tranſlate miniſters fra ane kirk to another, as they ſall conſider the neceſſitie, and in lyke maner charges the miniſter ſa tranſlated to obey the voice and comandement of the ſuperintendent.

And ordains farther, that the ſuperintendents appoint there Synodall Aſſemblies twyce in the zeir, to witt, in the moneths of Apryle and October, on ſick dayes within the ſaids moneths as the ſuperintendent ſall thinke good; and that they give ſufficient advertiſement to the particular kirks, that the miniſter with ane elder or deacon may repaire toward the place appointed be the ſuperintendents at the day that ſalbe affixed be them, to conſult upon the comon affaires of there diocies.

[Some miniſters war appointed for particular places; Mr James Pont for my Lord Areſkine, Mr James Foullis for Dunkell, Mr James Wilkie, or Mr Patrick Couſton, if he be not choſen for St Johnſton, for Aberdeen; Mr Robert Hamilton for Hamilton, Mr Johne Keith to be placed by the Superintendent of Aberdeen in Buchan, Mr Robert Narne for Deir, Mr Arthure Forbeſe to be placed at the diſcretion of the Superintendent of Fyfe and Rector of St Andrews, Mr James Greg for Carict, if the Lord Areſkine could be moved to conſent. C.]

Seſſio 5ta, haldin the laſt of December 1562.

The Kirk gives comiſſioun to the Superintendents of Angus, Lowthiane, Glaſgow and Fyfe, with David Forreſter, to travell with the Lords of Secreit Counſell to know what cauſes ſall come in judgement to the kirk, and what ordour of execution ſalbe tane therein.

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[Item, To travell for aboliſhing of mercats holding upon the Lord's day throughout the realme. Item, Commiſſion given to Mr Knox to make ſupplication both by word and writt to the Queen's Majeſtie, for ſupport of the poore.

Notwithſtanding of the nomination of ſuperintendents for Aberdeen, Bamf, Jedburgh and Dumfries, made before in the thrid ſeſſion, the Aſſemblie remitted farther adviſement and nomination of the perſons to the Lords of Secreit Counſell, providing the days appointed for the admiſſion be not altered. C.]

It is concludit that ane uniforme ordour ſalbe takin or keipit in the adminiſtratioun of the Sacraments and ſolemnization of mariages and burialls of the dead, according to the Booke of Geneva.

Attour, ordains the communion to be miniſtrat four tymes in the zeir within burrowes, and twyſe in the zeir to landwart.

[The ſuperintendents war appointed to confer with the Lords of Secreit Counſell, anent the charges to be beſtowed for the elements at the Lord's Supper. C.]

For ſameikle as it was heavilie lamentit be the maiſt pairt of the miniſters, that they can have no dwelling places at there kirks, becauſe the manſſes are either deteinit be the perſons or vicars of the ſamein, or els ſett in few or otherwayes to gentlemen: The Clerk Regiſter and Juſtice Clerk deſyre the ſuperintendents to ſignifie to the Clerk of the Rentales where the ſaids manſſes are, and in what countrey, to the effect that the ſaids manſſes may be aſſignit to the Quenis G. thrid part, and therafter that the ſaids miniſters compleinand may be ſtaiked and helped to the ſamein, for there comoditie and remaining with there flocke.

Notwithſtanding the proponeing and nominatioun of the ſuperintendents for Aberdeen, Bamfe, Jedbrucht and Dumfreis, appointed of befoir in the thrid ſeſſioun, and the days appointit for electioun of the ſamein, the haill kirk remitts farder advyſement and nomination of the perſones to the Lords of the Secreit Counſell, provydeing alwayes that the days appointed for their electioun be not prolonged.

It is ordainit, that no miniſter nor others bearing office within the Kirk, take in hand to cognoſce and decide in the actiouns of divorcement, except the ſuperintendents, and they to whom they ſall give ſpeciall commiſſioun, and betwixt ſpeciall perſons.

[After invocation of the name of God made be Maiſter Knox miniſter of Edinburgh, the Aſſemblie diſſolved. C.]

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A. D. M.D.LXIII.

THE Generall Aſſemblie of the Kirk of Scotland, conveinit and haldin at St Johnſtoun, the xxv of Junij 1563. In the whilk were aſſemblit the Superintendents, Miniſters and Comiſſioners of the Kirk.

Prayer is made be Maſter Johne Willock, Superintendent of the Weſt. Superintendents and miniſters are tryed.

[The triell of the ſuperintendent of Fyfe was delayed till the day following, at the deſire of the miniſters and commiſſioners of Fyfe. Mr Alexander Gordon, ſtiled Biſhop of Galloway, having gotten commiſſion before to plant miniſters, exhorters, readers, and other office-bearers requiſite for a reformed kirk within the bounds of Galloway, was removed to be tried. The laird of Gairlies younger complained that the ſaid commiſſioner had not miniſtred juſtice to Margaret Murrey, complaining upon her huſband Golfride Makculloch for none-adherence. Bot the commiſſioner could not ſatiſfie the Aſſemblie with anie ſufficient excuſe. C.]

Johne Knox miniſter of Edinburgh, having commiſſioun givin to him, and certain elders and deacons of the kirk of Edinbrugh, to take cougnitioun of the ſlander raiſit agains Paul Methwen, late miniſter at Jedbrucht, anent adulterie committed be the ſaid Paul with ane , his ſervant, the ſaid Mr Knox declarit the haill cauſe, what he had found in the foirſaid ſlander, viz. The ſaid Paul to have committed the ſaid abhominable cryme of adulterie, and therfor, with advyce of the Kirk of Edinburgh, ſuperintendent of Lowthiane and collegues above mentioned, had removed him fra all miniſtrie, and alſo excommunicat him; and ſwa having put his ſaid commiſſioun to execution, rendered up the ſame to the General Aſſemblie, fra whom he received it.

Mr John Rutherfuird, principall of St Salvator's Colledge, complained that Mr John Balfour uſurpit the miniſtrie at Cultis, being unqualifiet to

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diſcharge the ſame; and ſeeing the kirk pertainit to him as principall, he offerit himſelfe to miniſter according to the talent givin him be God. The Kirk heiring his complaint and offer, ordainit the ſaid Mr Johne to accept the office, who in preſens of the Aſſembly accepted the ſame.

The ſaid day David Fergusone, miniſter at Dumfermling, declared in the publick aſſemblie, that he had ſpokin Paul Methven, lately excommunicat, whom he fand verie ſorrowfull for his grievous offence committed be him in maner above rehearſed, and alſo ſick repentance for the ſame, that he wald underly whatſoever puniſhment the kirk of God wald lay upon him, even if it were to loſe any member of his bodie, to ſatiſfie the ſame. After long reaſoning of the whole Aſſemblie of the ſaid repentance and offer reportit be the ſaid miniſter, the Kirk condeſcendit that the ſaid Paul ſould have a comfortable anſuer; and attour that they in the meanetyme ſould ſpeake the Lords of the Privie Counſell theranent.

[Commiſſions war given to the biſhops of Galloway, Orknay and Catneſs, for the ſpace of a yeere, to plant kirks, &c. within their owne bounds, and that the biſhop of Galloway haunt aſweill the ſhirefdome of Wigton as the ſtewartie of Kirkubrigh, reckoned to be within his owne bounds. It was ordained lykewayes, That qualified men ſould be putt in election for a ſuperintendentſhip in Teviotdaill, Nithiſdaill, Annandaill and Selkirk, or that commiſſion be given to ſome qualified men for the yeere nixt to come, to plant kirks in the ſaid bounds; and in like manner to requeiſt the ſecret counſell to provide for ſuperintendents or commiſſioners to plant kirks in the ſouth parts. C.].

Seſſio 2a haldin the 26 of June 1563.

The whilk day the Kirk pronouncit that no contract of mariage alledged to be made ſecreitly, carnall copulatioun following, ſall have faith in judgement in tyme comeing, untill the tyme that the contractors ſuffer as breakers of good ordour and ſlanderers of the kirk; and thereafter that faith ſall not be givin unto that promiſe, unto ſick tyme as famous and unſuſpected witneſſes affirme the ſame, or els the parties confeſs it; and in cace that probation nor confeſſion follow not, that the ſaids offenders be puniſhit as fornicators.

Concerning the ordour of appellatioune, it is ſtatute and ordainit, that if

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any perſon find himſelfe hurt be any ſentence givin be any miniſters, elders or deacons of the kirk, it ſalbe leiſum to the partie ſo hurt to appeale to the ſuperintendent of the dyocie and his ſynodall conventioun, within ten dayes nixt after; and the ſaid ſuperintendent ſall take cognitioun whither it was weill appealit or not, and give his ſentence therupon; and if the partie ȝet alledges him hurt be the ſuperintendent and his conventioun, it ſalbe lawfull to appeale to the Generall Aſſemblie of the kirk immediately thereafter following, within ten dayes as of befoir, and the ſaid Aſſemblie to take cognitioun of the ſaid appellatioun, whither it was weill appealed or not, and therafter to pronounce ſentence therintill, fra the whilk it ſall not be leiſum to the ſaid pairtie to appeale, but the former ſentence to have executioun according to the tenour of the ſamein. Item, If the appellant juſtifie not his appellatioun befor the ſuperintendent and his conventioun forſaid, that he ſall imput ane paine upon the ſaid appellant, as he ſall think good, above the expenſſes to the partie; whilk paine ſalbe deliverit to the deacons of the kirk where the firſt ſentence was givin, to be diſtributed to the poore. And in lyke manner, the Generall Aſſemblie finding it evill appealit be the ſaid partie fra the foirſaid ſuperintendents and commiſſioun, ſall as of befoir impute ane paine arbitrall to be diſtribute as ſaid is, together with the expenſes to the partie, as is above ſpecifiet.

The Lords, Comptroller, Juſtice Clerk, and Clerk of Regiſter, beand all preſent in the Aſſemblie, pronouncit to give letters gratis to all miniſters requyreing the ſame, and cauſe them to be execute upon the comptrollers expenſes, to charge all them that has manſſes to delyver the ſame to the miniſters, or bigge ane ſufficient houſe to them within ſick a day as the parties ſall deſyre, under the paine of horneing, according to the act of Parliament lately made theranent.

Ordainit that ſupplicatioune be made to the Queens Majeſtie and ſecreit counſell for unioun of kirks, that wher two or thrie are within two or thrie myles diſtant, the ſame to unite, and cauſe the inhabitants to reſort to ane of the ſaids kirks, to heir the word and receive the ſacraments; becauſe the ſcarcenes of miniſters permitts not every kirk to have a ſeverall miniſter, and alſo the ſmall number of ſick parochines requyres not the ſamein.

Ordainit that the inſtructioun of ȝouth be comittit to none within this realme, neither in univerſities nor without the ſamein, but to them that profeſſe Chryſts true religioun now publicklie preached; and that ſick as now occupie the places, not profeſſing as ſaid is, be removed fra the

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ſamein, and to remember that ſame ordour be made for the ſuſtentatioun of poore ſcholers.

[Anent the execution of the Act of Parliament tuiching the repairing of kirks, it is thoght neceſſar that letters, conforme to the ſaid act, be delivered to the Superintendents gratis; and that everie Superintendent ſall conſider what kirks within his bounds need reparation or re-edifieing, and thereafter deliver the ſaids letters to the collectors of the thrids within the ſame bounds, to be executed be an officer of armes at ſuche kirks as ſalbe needfull, and the Superintendent ſall think good: And thereafter the ſaid collector ſall deliver the ſaids letters, duelie executed, to the Superintendents foreſaids, to the effect that they may, where the diſobedience ſall happen to be, crave remeed from the Lords of Secreit Counſell.

Commiſſion was given to Mr Johne Hepburn, miniſter of Brechin, to plant miniſters, exhorters, readers, elders, deacons, and other members requiſite and needfull for a reformed kirk, in Murrey, Bamf, and the countreis adjacent, and to place ſchoolmaſters. The like commiſſion was given to Mr Robert Pont, to plant kirks in Inverneſſe, and to Mr Donald Monro, to doe the like within the bounds of Roſſe, and to aſſiſt the biſhop of Cathnes in preaching of the goſpell, and planting of kirks; and theſe commiſſions war to endure onlie for a yeere.

Supplications ordained to be made to the ſuperior powers, for conſtituting judges in everie province, to heare the complaints of parties, alledging adulterie to be committed be the huſband or the wife, and the ſaid judges to take cognition in the mater, and puniſche according to the Act of Parliament. Item, That when anie benefice ſall vaike, qualified perſons may be preſented to the Superintendent of the province, where the benefice vaiketh, that they may be admitted in the places deſtitute. Item, That where two or three kirks ar diſtant two or three miles, they may be united, and the inhabitants cauſed to reſort to the ſaid kirks, to heare the word, and receave the ſacraments; becaus the rare number of miniſters ſuffereth not everie kirk to have a ſeverall miniſter, and the ſmalnes of the pariſhes require not the ſame. Item, For remitting the thrids, or a part thereof, to the biſhops appointed be the Aſſemblie to be commiſſioners, to plant kirks within their owne bounds.

The Comptroller being preſent, was requeſted to aſſume and aſſigne to himſelf ſo much of the thrids of the benefices remitted by the Queene to the poſſeſſors, as may ſufficientlie ſuſtaine the miniſtrie; and to cauſe his

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collector to intromitt therewith, and diſtribute the ſame to the miniſters, aſweill for times bypaſt as to come. The Colledges and Kirks of Univerſities, whoſe thrids are remitted, not to be heirin comprehended; which he promiſed to doe. The comptroller, juſtice clerk and clerk regiſter being preſent, promiſed to give letters gratis to all miniſters requiring the ſame, and cauſe to be executed upon the comptroller's expenſes, to charge all poſſeſſors of manſes to reſtore the ſame to the miniſters, or to build a ſufficient houſe to them againſt a ſett day, as the partie ſall deſire, under the paine of horning. C.]

Seſſio 3a, 27 of June 1563.

It is ſtatute and ordainit that no worke be ſett forth in print, neither yet publiſhed in wryte, tuiching religioun or doctrine, untill ſick tyme as it ſalbe preſentit to the ſuperintendent of the dyocie, advyſeit and approveit be him, and be ſick as he ſall call of the moſt learned within his bounds; and if they or anie of them doubt in any point, ſo that they cannot reſolve cleirly in the ſame, they ſall produce the ſaid worke to the Generall Aſſemblie of the kirk, wher ordour ſalbe tane tuiching the reſolutioun of the ſaid doubt.

[Commiſſion given to the ſuperintendent of the Weſt, to viſite Nithiſdaill, and plant kirks there for a yeere. To Mr Thomas Drummond, miniſter at Creich, and Johne Duncanſone, miniſter of Stirline, conjunctim et diviſim, for a yere, to plant kirks in Monteith.

The ſuperintendents of Angus and Fyfe war deſired to draw the townes of Dundie and Sainct Johnſtone to agreement.

The ſuperintendent of Lowthiane, the miniſters, elders and deacons of the kirks of Edinburgh, conjunctim et diviſim, Mr James Makgill, clerk of regiſter, Sir Johne Spence of Condie, the Queenes advocate, Thomas Mackcalzeane, David Borthwike, Clement Littill, Richard Strang, or anie two of them, war appointed to take cognition of Mr Magnus Halcro and Margaret Sinclairs appellatioun from the biſhop of Orknays ſentence in a cauſe of divorce.

The Aſſemblie, after mature deliberation, and diſcuſſing of the articles, for the which proceſſes war led, and ſentence given be umquhill James, biſhop of Roſſe, commiſſioner to James, archbiſhop of Sanct Andrews, at

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Halyrudhous, the 26 of Auguſt 1534, againſt James Hammilton of Kincavell, ſhireff of Linlithgow, pronunced the ſaid articles to be good and godlie, and nawiſe hereticall; and ſentence given be the ſaid James, biſhop of Roſſe, commiſſioner, to have been wrangouſlie led, and given againſt the ſaid James, in pæna contumaciæ, and therefore to be caſſe and null, with all that followed thereupon, and he to be reſtored in integrum to his honour, fame, and dignitie.

The articles for which he was condemned war theſe, That umquhill Mr Patrik Hammilton died a good Chriſtian and catholick man, howbeit he was condemned as an impenitent heretick, and burnt be them; and was content to die the ſame death; that there is no purgatorie; that we ought not to pray for the deid; that man hath not free-will, as the papiſts meane; that he uſed the Lords prayer in the vulgar tongue publictlie; that he had books condemned and ſuſpected of hereſie; that he contemned and cauſed to contemne the preaching of preaching Friers, and ſo furth.

Afternoone compeired James Gibb of Carruder, one of theſe who wer ſummoned for their intereſt, to heare the ſaid articles to be approven. He proteſted whatſoever thing were done in this Aſſemblie in favours of James Hammilton of Kincavell, ſheriff of Linlithgow, ſould not be prejudiciall to him and his rights whatſoever. C.]

Seſſio 4ta 28 of June 1563.

[Commiſſion was given to Mr Gudman miniſter at Sanct Andrews, Williame Chriſteſone miniſter at Dundie, Mr Williame Cock, Mr Williame Scott, and Mr John Douglas rector of the univerſitie, to take cognition of the complaint given in be the ſuperintendent of Fyfe, againſt Mr George Leſlie, miniſter of Strameglo, and to decide therein; and to notifie their ſentence and decreitt to the ſuperintendent of Angus. The ſuperintendent of Fyfe had complained that he had not execute his ſummons againſt ſome perſons in Auchtermowtie, where he was alſo miniſter, and that he had not miniſtred the ſacraments ſince December laſt bypaſt. C.]

Ordaines that every ſuperintendent within his awin juriſdictioun cauſe warne the ſhyres, townes, and paroch kirks, to ſend ther comiſſioners unto the Aſſemblies in tyme comeing, declareing unto them the tyme and place;

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and als that every ſuperintendent convein the firſt day appointit for the Aſſemblie, under the paine of fourtie ſhillings, to be diſtribute to the poor without remiſſioun therof.

[Mr Knox was requeiſted to put in order the forme and maner of excommunication. He was requeiſted be the ſuperintendent of Angus to viſite the North, and preach the word in theſe countries for a ſeaſone, becauſe the preaching of the word was precious in theſe places. C.]

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A. D. M.D.LXIII.

THE Generall Aſſemblie conveinit at Edinburgh, the xxv of December 1563, in the New Tolbuith; the exhortatioun and prayer made be Johne Willock. In the whilk were preſent James duk of Chatelerault, Archibald erle of Argyle, James erle of Murray, James erle of Mortoun, William erle Marſchell, Alexander erle of Glencarne, Williame Metland of Leithingtoun, ſecreitar, Sir John Wiſchart of Pittaro, comptroller, Sir Johne Ballantyne of Achnoull, juſtice clerk, Lords of the Secreit Counſell, [the Superintendents of Angus, Lowthiane, Fyfe and the Weſt, Alexander ſtyled Biſhop of Galloway, Adam Biſhop of Orkney, Miniſters and Commiſſioners, Barons, Burgeſſes and Gentlemen in a great number. The exhortation was made be Mr Willock, Superintendent of the Weſt. C.]

Seſſio 1ma, 25 of December 1563.

It was proponit be the haill Aſſemblie, that a moderatour ſould be appointit for avoyding confuſion in reaſoning, but that everie brother ſould ſpeake in his awin rowme. The Lords of the Secreit Counſell, with the haill brethren of the Aſſemblie, appointit Mr Johne Willock, Superintendent of the Weſt, moderator dureing this Aſſemblie.

Anent the queſtion moveit be Johne Knox, miniſter of Edinbrugh, to the haill Aſſemblie, whither he receivit charge of the haill kirk conveinit in Edinburgh after the beginning of the Reformation, to advertiſe the brethren to conveine at what tyme any member of the kirk ſould chance to be troublit, and that for the counſell to be had.

To the whilk the Lord Lindeſay, lairds of Kelwood and Abbotiſhall, Cunighameheid, the ſuperintendents of Angus, Fyfe, Louthiane, Weſt, and Galloway, Mr John Row, Mr Chriſtieſone, Mr Robert Hamiltoun, Mr Chriſtopher Goodman, miniſters, with the moſt part of the whole

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Aſſemblie, made there declaratioun, that they remembrit verie weill that the ſaid Johne Knox wald have had himſelfe exonoured of the foirſaid charge, and that the kirk then preſent wald na wayes ſuffer him to refuſe the ſame, but that he ſould continue as befoir to advertiſe fra tyme to tyme as occaſion ſalbe givin.

[When the ſuperintendents war to be tried, Mr Johne Spottiſwod ſuperintendent of Lowthiane was removed; when he was called in again, he requeſted the Aſſemblie to give him libertie to returne to his former cure, becaus he was not able to diſcharge ſo great a burthen as he was burthened with. The ſuperintendent of Fyfe being removed, it was complained that he preached not in his viſitations, bot cauſed the miniſter of the kirk to occupie the rowme. The commiſſioners of Fyfe deſired a diett to be appointed, wherin to give in complaints againſt him, which was granted. The Superintendent of the Weſt being removed, it was complained that he did not his endevoure to procure the extirpation of idolatrie in his bounds. He layed the blame upon the duke and the erle of Caſſils. Farther, he deſired to be diſburthened of the great charge layed upon him, which he had undertaken onlie for a time, and requeſted the Aſſemblie to lay no greater burthen upon him then he was able to beare. The ſuperintendent of Angus and Mernes being removed, it was ſaid plainlie, that no diſcipline was uſed in manie of the kirks of Angus and Mernes: That there was no convention of elders and deacons at kirks for correction of faults; that he preached not in his viſitations: That being burthened with the viſitation of the north, he might not attend upon the charge allotted to him. The queſtion, Whether ſuperintendents ought to preache in all the kirks where they did viſite, was reſerved to be diſcuſſed at the end of the Aſſemblie. C.]

Seſſio 2da, 27 Dec. 1563.

[Mr John Hepburne, commiſſioner of the north, excuſed his not viſiting, be reaſon of his great ſicknes. Mr Alexander Gordon, commiſſioner of Galloway, being removed, the laird of Gairlies younger delated him for retaining in his houſe two perſons, after their publict repentance for their fornication. He denied he retained the woman; and as for the man, after he had removed him for a time, knowing no offenſe to him, he receaved

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him. Mr Donald Monro, commiſſioner of Roſſe, being removed, it was complained that he was not ſo apt to teache as his charge required. Therefore the Aſſemblie ordained the ſuperintendent of Angus, Mr Robert Hammilton, Mr John Row, Mr Robert Pont, Mr Chriſtopher Gudman, Mr Johne Wood, and Mr Clement Littill, to take a tryell of his gift, and to report to the Aſſemblie. Mr Robert Pont, commiſſioner of Murrey, Enuerneſſe, and Bamf, declared how he had travelled in theſe parts, but confeſſed his inabilitie, in reſpect of the laicke of the Iriſh tongue, and therefore deſired the Aſſemblie to appoint an commiſſioner expert in the Iriſh tongue. C.]

Seſſio 3ª. 28 December 1563.

[Mr Thomas Drummond and Johne Duncanſone, commiſſioners for viſitation of Menteith, preſented their commiſſion, and a roll who war to be continued, according to the tenor of their commiſſion.

Complaints war made upon Robert Gibſon, for ſaying meſſe everie Sabbath day in Fiſhwicke, maintained be the laird of Blacader; Sir Robert Acheſoun, preeſt, for ſaying meſſe in Cranſton; Johne Pillor, preeſt, for ſaying meſſe in the chappell of Foſſe beſide Dow; Robert Paterſone for ſaying meſſe at Logyraitt, and for meſſe daylie ſaid in Sayfield. The Juſtice Clerk deſired the relations to be qualified and delivered to him, and he promiſed to call them to particular dietts.

It was ordained, That all miniſters ſould give in their ſupplications to the ſuperintendent, to the effect the ſuperintendent might preſent their ſupplications to the Lords of Secreitt Counſell, that order might be taken for payment of their ſtipends, ſpeciallie where the thrids war remitted to the poſſeſſors be the Queins Majeſtie. Item, That ſupplication ſould be preſented to the Secreitt Counſell, that everie miniſter may have his ſtipend aſſigned in the bounds where he ſerveth the cure. Item, That the act of Parliament anent manſes and glebes, be more ſpeciallie condiſcended upon. The nobilitie there preſent, and others having intereſt, war required to condiſcend, that the poore labourers might have the tithes of the ground, which they manured for a reaſonable compoſition ather in money or victuall, to be paid to the erles, lords, barons, or other takiſmen. A full anſwere was differed till a fuller convention: Nottheleſſe my Lord Dukes Grace, the erles of Argile, Murrey, Marſhall, Glencairne, and

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Rotheſſe, the lords Areſkine, Ruthven, Lindſay, and the Comptroller, there preſent, conſented for their own parts. It was farther ordained, the ſuperintendents ſould travell with erles, lords, barons, and other takiſmen within their bounds, to the ſame effect, and to report their anſweres to the nixt Aſſemblie. C.]

The haill Aſſemblie heir preſent hes farder concludit, and finallie conſentit, that for there awin part the tenents and occupiers of the ground ſall have there awin teinds upon compoſition.

Seſſ. 4ta, 29 Dec. 1563.

It was thoght neidfull, for farther affirmation of the Booke of Diſcipline, that the Erle Marſchell, Lord Ruthven, Lord Secretarie, Commendator of Kilwinning, the biſhop of Orknay, Clerk Regiſter, Juſtice Clerk, Mr Henrie Balnaves, David Forreſt, and Mr George Buchannan, onie thrie or foure of them, overſie the ſaid booke diligentlie, conſider the contents therof, noteing there judgements in wryting; and to report the ſame to the nixt Aſſemblie Generall of the kirk; or if ane Parliament happin to be in the meanetyme, that they report the ſaids judgements to the Lords of the Articles that ſall chance to be choſen befor the ſaid Parliament, [and that they beginne immediatelie after the diſſolving of this Aſſemblie; at the leaſt in the ſext day of Januarie nixt to come, and thereafter continue till the ſaid booke be throughly reviſed.

It was concluded, that offenders, whoſe offenſes war publiſhed, ſould mak their publict repentance, without exception of perſons; and if they refuſed, that after due admonitions, the cenſures of the kirk ſould ſtrike upon them: And therefore it was ordained that Mr Robert Richardſone ſould make his publict confeſſion for his whoredome, and ſatiſfie the kirk of Edinburgh.

Mr Andrew Johnſtone, brother-german to umquhill Mr William Johnſtone, humblie required proceſſe for reduction of the ſentences pronounced by umquhill James archbiſhop of St Andrews, and his commiſſioners, againſt him and his brother, for alledged hereſies, as alſo edicts to that effect, as effeirs. The Aſſemblie ordained the Superintendent of Lowthiane, with the aſſiſtance of the ſeſſion of Edinburgh, to tak cognition in the premiſſes, to give and lead proceſſes therein, as hath been led in the ſhireff of Linlithgow, Sir John Borthwick and others, for the like edicts,

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and other ſummons neceſſarie and requiſite to grant; and after ſummarie proceſſe led therein, to pronounce and give finall ſentence.

Johne Baron miniſter of Gaſtone, complained that his wife Anne Goodacker had deſerted him, and fled to England. The Aſſemblie ordained letters to be directed to the archbiſhops of Yorke and Canterburie, in name of the Aſſemblie, ſubſcrived be the Superintendent of Lowthiane, Mr Knox and Mr Craig miniſters of Edinburgh, and the ſcribe; requeſting them to be executed againſt the ſaid Anne, that ſhe might compeir before the Superintendent of Lowthiane, and ſeſſion of the kirk of Edinburgh, the ſextie day after the citation, be herſelf, and be no procutor, to anſwere as law will; with intimation, if ſhe compeir not, the ſaid ſuperintendent and ſeſſion ſall proceed againſt her at the ſaid Johnes inſtance.

The Paroſhiners of Calder complained, That Mr John Spottiſwood, preſented to the parſonage of Calder fifteen yeeres ſince be the laird of Calder, had been promoved three yeeres ſince to be ſuperintendent of Lowthiane, without their knowledge; and that be reaſon of his publict office and exerciſe, he is abſtracted from his cure at the ſaid kirk the moſt part of the yeere; deſired therefore, as before, to cauſe him renounce his ſuperintendentſhip, and returne to his former vocation; or ellis to demitt the ſaid parſonage, to the effect ane other qualified man might be preſented, in conſideration that it is impoſſible that one man may brooke and exerce two offices in the kirk of God, bot one of them muſt be neglected; otherwiſe we ſhall differ little frome the popiſh kirk, where one perſone had pluralitie of benefices, as in the ſaid complaint at lenth was contained. The Aſſemblie judged the former anſwere given 4 Julie 1562 ſufficient. C.]

Seſſ. 5ta. 30 Dec. 1563.

[Mr George Hay, miniſter to the privie counſell, had ſummoned certaine miniſters, exhorters and readers of the north, to compeir in this Aſſemblie, to anſwere for their doctrine and maners. David Rae, miniſter of Forreſt, compeired, and was admoniſhed be the brethren to obſerve a decent order and forme of doctrine, with ſuch gravitie as becumeth the teachers of Gods word, and to follow the text, without inveying otherwiſe then the text ſall require. Other miniſters, exhorters and readers, not compeiring, war ſuſpended from their offices till farther triell, to be taken be ſome ſuperintendent or commiſſioner to be ſent to theſe parts.

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The commiſſioners and brethren of Fyſe preſented a row, wherein war diverſe complaints given againſt the ſuperintendent of Fyſe: His anſwere was, That ſome of theſe things layed to his charge lay not in his power to amend. The complainers war commended for there zeale in delating things worthie of redreſſe, and admoniſhed the ſuperintendent to be diligent in preaching and execution of his office. C.]

Forſameikle as miniſters, exhorters and reidars, remains not at the kirks wher ther charge lyes, but dwells in townes farre diſtant fra the ſaids kirks, wherethrow the peiple wants the continuall confort whilk ther daylie preſence ſould give be mutuall conference of the miniſter with the flocke; heirfor the kirk ordaines the miniſters, exhorters and reidars, having manſſes to dwell in, that they make reſidence at the ſame, and viſite the ſeik as they may, and where the parochin is great, that the miniſter crave the ſupport at the elders and deacons, to help him in the ſaid viſitatioune.

Touching the buriall of the poore in every parochin to landwart, it is ordainit that a beere be made in every paroch to carrie the dead corpes to buriall, and that village or houſe wher the dead lyes, with the nixt houſe adjacent therto, or a certaine number of every houſe, ſall convey the dead to the buriall, and eird it ſaxe foote under the eird; and that every ſuperintendent within his awin bounds requyre the lairds and barrones within the ſame to make ane act in ther court tuiching this ordour, and cauſe ther officers warne ther narreſt neighbours wher the dead lyes, to convey the ſamin to buriall as ſaid is, according to ther ſaid act; and farder, that the ſuperintendents take ordour heir as occaſioun ſall ſerve.

Becaus divers times Superintendents ordaine certaine notorious offenders to make publict repentance in the kirk where the offenſe was committed, and yitt give not ſignification of the ſame to the miniſters and elders of the congregation, wherethrough offenders may eaſielie eſcape the making of their repentance in due time: Therefore it was ordained, That when anie ſuperintendent enjoyneth anie perſon to mak publict repentance for anie offenſe deſerving the ſame, that he ſall ſignifie to the pariſh where the offenſe hath been committed, what he ordaineth to be done be the offender, to the end the miniſters, elders and deacons of that congregation may notifie again to the ſuperintendent whether the ſaid offender obeyed the ſuperintendents ordinance or not, that order may be taken with him in caſe of diſobedience.

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Seff. 6ta the laſt of Dec. 1563.

[Foure women war delated for witchcraft be the ſuperintendents of Fyfe and Galloway. The Lords of Privie Counſell war requeiſted to take order therein. The complainers war ordained to give in their informations. It was ordained, That everie ſuperintendent within his bounds ſould cauſe a collection to be made for ſex brethren taken at Rowan, and detained in the galeys for want of ranſoum. The erle of Glencarne was requeſted to concurre with the Superintendent of the Weſt to viſite the hoſpitall of Glaſgow, and conſider how the revenues pertaining to the ſame ar beſtowed or poſſeſſed, that order may be taken for ſupport of the poore; and that they report the ſame to the Lords of Privie Counſell and to the Aſſemblie.

Commiſſions war renewed for a yeere to Mr Robert Pont, to plant kirks from Neſſe to Spey; to Mr John Hepburn, miniſter at Brechin, to plant kirks in Bamf, from Spey to Aithan, comprehending Strabogie land; to Mr Patrick Couſton, miniſter at Seres, to plant kirks from Dee to Aithan. Mr Robert Pont accepted of the commiſſion, bot with proviſion that he ſould not be burthened with the kirks ſpeeking the Iriſh tongue in the ſaids bounds.

Robert Ramſay was accuſed for entering in the miniſtrie within the Superintendent of Angus his bounds, without election or his admiſſion, and that he had affirmed there was a mid-way betwixt papiſtrie and our religion; that he had borrowed ſome money from the town of Ennerneſſe upon caution, alledging that he wald buy bookes with the ſame, bot did not returne nor pay the ſumme: He was ſuſpended from his miniſtrie till farther triell war taken. Commiſſion was given to the Superintendent of Fyfe to try him, and he ordained to compeir the 19 of Januarie at Sanct Andrews. C.]

Anent the determination of the kirk, tuiching Thomas Duncanſone, ſchoolemaſter and reidar in Striveling, who had committed fornication, and thereafter had made publick repentance, whither he ſould be reſtored to his office in the kirk or not after his publick repentance, it was ordainit, That he ſould abſtaine fra the ſaid office, untill ſick tyme as the kirk of Striveling made requeiſt to the Superintendent for him, and that he ſould preſent the ſaid ſute or requeiſt in the nixt Generall Aſſemblie. Attour,

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if the woman was a maiden with whom he had comitted the ſaid fornication, that he ſall marie her if ſho requyre the ſamein, in part of ſatiſfactioun to the kirk.

Tuiching the queſtion proponit be the Superintendent of Fyfe, anent Alexander Jarden, miniſter of Kilſpindie, Incheſture, and Rait, wha had committed fornication with a virgine, and therafter had maried her, and ſatiſfiet the kirk, whither he ſould be admittit againe to the miniſtrie or not; the kirk ſuſpends the ſaid Alexander fra all functioun of the miniſtrie within the kirk whill the nixt Aſſemblie, and then to receive anſuer.

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A. D. M.D.LXIV.

THE General Aſſemblie haldin at Edinburgh the 25 of Junij 1564, haldin and begun in the Neither Tolbuith at 4 houres afternoone; exhortatioun and prayer made be Mr Johne Knox, miniſter at Edinburgh. In the whilk were conveinit the Superintendents, Miniſters, and Commiſſioners of provinces and of kirks.

Seſſ. 2a. 26 Junij 1564.

The haill Aſſemblie continewit Mr Willock, moderator of this Aſſemblie.

[The Erle of Glencarne and the Superintendent of the Weſt war inquired, what they had done in the viſiting of the hoſpitall of Glaſgow. The Superintendent of the Weſt anſwered, He did nothing, for laike of conference with the Erle of Glencarne, but promiſed to viſite betwixt and the nixt Aſſemblie, providing the Lords of the Privie Counſell give letters according to the ordinance of the Aſſemblie. C.]

The Aſſemblie requeiſtit Mr Robert Montgomerie, miniſter at Cowper, to ſupport every other Sonday the kirk of Largo whill farther proviſioun be made; and ordainit the ſuperintendent of Fyſe to labour with the towne of Couper for licence to the ſaid Mr Robert for the purpoſe forſaid, and to take ordour with the ſchoolemaſter of Couper to reid and exhort in the kirk of Couper.

[The Laird of Lundie and the Superintendent of Lowthiane war appointed to requeſt the Lords of Secreit Counſell to aſſiſt the Aſſemblie with their preſence and counſell. C.]

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Seſſ. 3a. 27 Junij 1564.

[At the requeiſt of the Erle of Menteith, craving ſome miniſter underſtanding the Iriſh tongue for Menteith, Johne Ure, miniſter of Leuchars, was tranſplanted, and appointed miniſter there. C.]

Seſſ. 4a. 28 Junij 1564.

The haill Aſſemblie made, conſtitute, and ordainit thir commiſſioners underwriten: For Fyffe, the Laird of Lundie and Thomas Scott of Abottiſhall; for Louthiane, the Lairds of Spot and Elphingſtoun; for the Weſt Land, the Lairds of Carnall, Carſe, and Kelwood; for the Southland, the Lairds of Wedderburne and Andro Ker of Faudonſyde; for Galloway, the Laird of Gairles ȝounger and Mo...., with Mr George Gordoun; for Angus, the Proveſt of Dundie; and for the Northland, the Laird of Craig; that they ſall altogether repaire towards the Lords of Secreit Counſell, and ther preſent the articles underwriten, perteinand to reformatioun of maners, puniſhment of certaine crymes, maintaining of juſtice, and others concerning the univerſall kirk of this realme; and to reaſon thereupon with the ſaids Lords, and report the anſuers theruntil to this preſent Aſſemblie.

Tenour of the Articles.

Firſt, that it is thoght good, and als weill conforme to the Acts of Parliament, immediatelie befor the Queens Majeſties arrivall, permittit as her Hienes awin ordinance, with conſent of the nobilitie decreeit and appointit after her Graces arrivall, Chryſts religioun be *de novo* eſtabliſhed, ratified and approved throughout the whole realme; and that all idolatrie, eſpeciall the meſſe, be aboliſhed over all wher, ſo that no uther face of religioun be permittit or thoild to be erected.

And for this effect, that the miniſters be provydit decentlie with ane affurit appointment, where they ſall receive ther livings aſweill by gane as to come, and not to live as beggars as preſentlie they doe.

And in lyke manner, to deſyre, and with all humilitie to requyre, that the tranſgreſſours agains the ordinances, aſweill from tymes paſt as from

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this tyme foorth, be puniſhed according to the ſaids lawes and ordinances, and eſpecially agains them contemnes and comitts inobedience agains the ſaid lawes in Aberdeen and the Carſe of Gowrie, in Seafield, and in ſundrie uther places, as ſalbe ſpecifiet.

After the foirſaids articles were notified and declared to my Lords the Erles of Murray, Argyle, Glencarne, and to my Lord Secretar, being preſent and ſend be the Queens Hienes to the Aſſemblie, to know what things was proponit therin, thoght the ſaids articles as they were conceivit not ſo convenient to be proponed as appertained; and therfor thoght it meit to collect twa heids therof, whilk they themſelves wald propone to the Queens Majeſtie, whilk heads followes.

And firſt, they wold declare to her the good mynds and obedience of them there aſſemblit.

And as tuiching the eſtate of religioun, ſeing it tuichit the ſaids Lords moſt ſpeciallie being members of the ſaid kirk, they wald labour at her Graces hands that the ſame might be obſervit according to the ordour eſtabliſhed at her Hienes arrivell, and doubtit not to obtaine ſick gentle anſuer and aggriement of her Majeſtie in that behalfe as might ſatiſffie the ſaid Aſſemblie.

The other heid tuiching the ſuſtentatioun of the miniſters, the ſaids Lords in lyke maner promiſed to labour at her Hienes hands that they might have appointment of the ſaids ſtipends, and hoped to adreſſe her Hienes ſo that they ſould be reaſonablie ſatisffiet of ther deſyre in that point.

Thereafter the ſaids Lords declarit how they had proponit the ſaids heids to the Queens Majeſtie, and how they were not only accepted be her Hienes in good part, but als gentlie anſuerit and accordit to the performance therof; and therfor the ſaids Lords promiſed in her Majeſties name to the haill Aſſemblie the accompliſhment of the ſaids deſyres, of the whilk they were not in any wayes to doubt; for if they had been ſurely perſuadit in their awin hearts that her Hienes had meant utherwayes nor they had declared, her Grace ſould have found uther meſſingers than they to have ſhawin the ſame in her Hienes name. Whilk being be them declared, the haill number preſent firſt thanked God, and her Majeſtie, that ther reaſonable deſyres were ſo generallie anſwerit; and for recognoſceing of ther awin duetie, deſyreit the ſaids Lords reciprocallie to promiſe to her Majeſtie in ther behalfe all dutifull obedience, love and ſubmiſſion, whilk

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can be lookit for be any Chriſtian Prince, of moſt faithful, humble and loving ſubjects; promiſeing therwithall if any of ther number ſould happin to forget the duetie of a good ſubject offending her Majeſties lawes, that they all afaldlie wald concurre to the punition of the offendour according to the qualitie of the treſpas, as they ſould be comandit.

Anent the ſatiſfieing of pure labourers of the ground againſt the unmerciful exactioun of ther teinds, John Maxwell Terregleis Knycht friely promiſeit that what tyme the ſuperintendent of the weſt ſould reſort toward the parts wher he has any teinds, and ſould chooſe unto himſelf ſax, ſevin or aucht of the moſt wiſe and diſcreit perſons within the ſaids bounds wher he hes the ſaids teynds, and whatſoever the ſaid ſuperintendent and honeſt perſons ſould advyſe him to doe, alſweill tuiching the intromiſſion as prices of teynds, he promiſes to fulfil the ſame, ſo that the poore labourers ſould feile at his hands eaſe and ſupport within his roumes.

In like manner my Lord of Murray was content, and for his teynds within Fyfe nameit the Laird of Lundie, that ſall modifie either money or victualls.

Alſo Alexander Biſchop of Galloway promiſed to doe how ſoone the take of his teynds comes in his awin hand and bees run out.

The Erle of Monteith, my Lords Lindeſay and Ochiltrie, my Lord Secretarie, the Superintendent of Fyfe, the gentillmen in the weſt, and among them, the Laird of Kars, and the goodman of Loathein, all of ther awin frie will promiſed to doe according as the ſaid Maiſter of Maxwell had promiſed.

Tuiching the act of Parliament anent the gleib and manſſes, the haill Aſſemblie requeſt Mr James M'Gill Clerk Regiſter to extract the ſamein and ſubſcryve it, to the effect it may be produceit before the Lords of the Secreit Counſell the morne, or how ſoone guidlie he may doe the ſamein, that ordour may be tane theranent for the ludging of the Miniſters.

[The Superintendent of Angus, the Abbot of Culros, Mr Johne Spence of Condie Advocat, Mr George Buchanan, and Mr Robert Pont, war appointed to goe apart, and conſider whether it were more expedient that Mr Andrew Simſon ſould remain Miniſter at Dunning and Cargill, or be removed to Dunbar, according to his own promiſe made to Dunbar. It was decerned be them that he ſould be removed. C.]

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Seff. 5ta, penult. Junij 1564.

Anent the cauſes of the whole Kirk and juriſdiction therof, the Aſſemblie appointed thir perſons underwriten; to wit, The Laird of Dun Superintendent of Angus and Mernes, Mr John Wynrhame Superintendent of Fyfe, Mr John Spotiſwoode Superintendent of Lowthiane, and Mr John Willock Superintendent of the Weſt, with the aſſiſtance of Mr John Row, George Hey, Robert Pont, Chriſtopher Guidman, Thomas Drummond, Johne Knox, Johne Craig, Johne Rutherford, George Buchanan, Robert Hamiltoun, Clement Little, the Lairds of Lundie, Elphingſtoun, Carnell, Kers, and Thomas Scott of Abottiſhall, and ordained thir foirnamed perſons to conveine the morne after the ſermoun, and to reaſon and confer anent the ſaids cauſſes and juriſdictioun pertaining to the Kirk, and to report ther opinions againe to the nixt conventioun.

Anent the queſtion moved, whither a miniſter anes lawfullie placed at a kirk, may leave his miniſtrie at the ſaid kirk and paſſe to another at his awin pleaſure; it was concludit be the haill Aſſemblie, that he may na wayes leave the congregation being anes placed, without knowledge of the floke, his ſuperintendent or haill kirk, and that the cauſe why he wald leave that kirk be conſidderit be the Superintendent or haill kirk, whither it be lawfull or not.

The haill Aſſemblie in ane voyce chooſe James M'Kaitney to be Soliciter for the [actions of the Kirk to be pleaded before the Lords of Secreit Counſell or Seſſion; to proceed with advice and counſell of Mr Thomas Makcalgeane, David Borthwick, and Richard Strong, Advocates. C.]

Becaus Mr Alexander Jarden miniſter of Inchſtuire, Kilſpindie and Rait, was in the laſt Aſſemblie ſuſpendit from all functioun of office within the Kirk, for cauſes conteinit in the Second Seſſion of the laſt Aſſemblie, to this conventioun, when he ſould receive anſuer, whither he ſould returne to his office or not; the haill Kirk, in conſideratioun of his marriage and publick ſatiſfactioun wher the offence was committed, ordainit to make humble requeiſt to my Lord of Murray to be content that the ſaid Mr Alexander ſould be received againe to his miniſtrie in reſpect of the premiſſes, and therafter that the Superintendent of Fyffe ſould reſtore him againe to his miniſtrie as of befor.

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Anent the requeiſt of Mr Patrick Conſtance miniſter of Cyres, deſyreing the licence to paſſe to France and uther countryes, for augmenting of his knowledge, for a tyme, the haill Aſſemblie in ane voyce diſſentit therfra, and ordainit that he ſould not paſſe out of this country, nor yet leave his congregation wher he travells, without ſpecial licence of the haill Kirk, if they ſall heirafter think it expedient or neceſſarie.

[It was appointed that a Requeſt ſould be preſented to the Queen, for obtaining the gift of the Friers Kirk of Kirkubright, to be holden herafter the Pariſh Kirk of Kirkubright. C.]

Seſſ. 6a, ult. Junij 1564.

[Mr Donald Monro his Commiſſion to plant kirks within Roſſe was continued for a yeere. Commiſſion was given to Mr Knox to viſit the North, and to remaine there ſix or ſeven weeks, becaus the North Parts war deſtitute of Superintendents or Commiſſioners, for viſiting of their kirks, and overſeeing of miniſters, exhorters and readers already placed.

Mr George Hay Miniſter to the Secreit Counſell was appointed to viſite the kirks of Renfrew, and to remaine there twentie dayes. Mr Craig was ordained to viſite the South parts for a moneth; and Mr Gudman Miniſter at Sanct Andrews to teache in his abſence at Edinburgh. C.]

Forſameikle as it was complainit be the Commiſſioner of Murray upon William Sutherland, perſon and exhorter at the kirk of Moy, that he had not only diſobeyit his charge commanding him to marie the woman with whom he befor had committit fornication, but alſo had, in deſpyte of the ſaid commiſſioner, ryven his letters of charge therto, and had not obeyit his ſumounds chargeing him to compeir to this Generall Aſſemblie: In conſideratioun of this diſpytefull ryveing of the Commiſſioners letters, and alſo not compeiring to this Aſſemblie, the Kirk depryves him fra all eccleſiaſtical functioun, and alſo ordaines the cenſure of the kirk to proceid agains him for his contempt.

[It was ordained that the Superintendent of Lowthiane ſould proceid to cenſures againſt Mr Patrick Cockburne, miniſter at Haddingtoun, in caſe he reſorted not to the General and Synodall Aſſemblies. C.]

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A. D. M.D.LXIV.

THE Generall Aſſemblie of the Kirk gatherit and conveinit at Edinburgh the 25 of December 1564, haldin in the Over Tolbuith therof: In the whilk wer the Superintendents and Miniſters preſent, with the Comiſſioners of Shyres and particular Kirks; the exhortation being made be Johne Knox, miniſter of Edinburgh.

For eſchewing of confuſioun, and that every brother ſould ſpeake in his awin rowme with modeſtie, it was thoght good that ane moderator ſould be appointed, and ſwa with full conſent of all the brethren preſent, was John Erſkine of Dun, Superintendent of Angus and Mernes, appointed to be moderator for this Aſſemblie, who acceptit the office upon him.

Ordainit that no queſtion be proponit be any brother unto the tyme the affaires of the kirk and ordour therof be firſt treatit and endit; and therafter if any brother have a queſtion worthie to be proponit, that the ſamein be put in wryte and preſentit; and if the ſamein requyres haſtie reſolution, it ſalbe decydit in this preſent Aſſemblie, before the end therof, utherwayes the deciſion of the ſamein ſalbe referrit to every ane of the Superintendents within whoſe bounds the queſtion is proponed, and they and every ane of them, with ane certain number of the miniſters as they ſall think meit to appoint for aſſiſting to heir the reaſoning of the ſaids queſtions, and therafter ther reaſons to be put in wryte, affirmative or negative, whilk every ane of them ſall report to the nixt Aſſemblie.

[William Wallace of Carnall, and Andrew Ker of Fadownſide, war ſent to the Lords of Secreit Counſell, to requeiſt their honours to aſſiſt the Aſſemblie with their preſence and counſell.

When the Superintendents of Lowthiane and Angus, the Commiſſioners of Galloway and Orknay, war removed to be tried, it was proponed be ſome of the brethren, that the Commiſſioners of Galloway and Orknay ſould be demanded, whether in their conſciences they judged that they might both dewlie uſe the office of a Superintendent and the office of a Lord of the

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Seſſion and Colledge of Juſtice. The Superintendent of Fyfe was challenged for ſlackneſs in viſitation of his kirks. He alledged age, evill payment of his ſtipend, and a great number of kirks within his bounds, as excuſes: howbeit otherwiſe he was diligent. C.]

The ſame day the haill Aſſemblie cauſit to preſent to the Lords of Secreit Counſell the heids and articles following, and requyrit ther honours to obtaine anſuer therof at the Queens Grace, and to ſignifie unto them her Majeſties pleaſure therintill.

Tenour of the Articles.

I. The haill Aſſemblie requyres humblie there honours to ſignifie to the Queens Majeſtie, that the tranſgreſſours of the proclamatiouns paſt againſt the heirars and ſayers of meſſe, together with the abuſers of the Sacraments, are now ſo common, that it may be greatlie feared that judgements ſall ſuddenly follow, except remeid be provydit in tyme.

II. To requyre payment to miniſters of there ſtipends for the tyme by paſt, according to the promiſe made, and to let the Aſſemblie know how the miniſters ſalbe ſuſtained in tyme to come.

III. To requyre Superintendents to be placed wher none are within this realme, viz. in the Mers, Tevedaill, Forreſt, Tweddall, and the reſt of the deales in the South not provydit; with Aberdeine, and the uther parts in the North, lykewayes deſtitute.

IV. To requyre puniſhment of ſick as hes ſteiked the doores of the paroch kirks, and will not oppin the ſamein to preachers that preſentit themſelves to have preachit the word, ſick as Paiſly, Aberdein, and Curry, Duplin, and Aberdagie.

V. Humblie to requyre of the Queens Majeſtie, what the kirk ſall looke for, tuiching proviſion of benefices vaikand and to vaik.

VI. To crave ane reſolutioun and declaratioun of the manſſes and gleibs, whither they be ſett in few or not, and be what means the miniſters ſall come to the uſe and poſſeſſioun therof.

VII. The actis tuiching the reparatioun of the kirks to be put to executioun.

The anſuer of every ane of the particulars the Generall Aſſemblie humblie requyres.

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Seſſ. 2da. haldin the 26 of December 1564.

[It was ordained, That the ſame perſones who war nominat for election to the ſuperintendentſhip of Aberdeen, December 1562, ſould now againe be putt in leitts: That Edicts be ſerved, and the perſon choſen be inaugurat in the New Kirk of Aberdeen the ſecond Sunday of Marche nixt to come; and that the Superintendents of Angus and Fyfe, with ſuch miniſters as they ſould chooſe, be preſent at the ſaid Inauguration.

Becaus it was murmured, that manie ignorant men, and of bad converſation, war admitted to be Miniſters, Exhorters and Readers; it was ordained, that the Superintendent of Angus ſould viſite the kirks in Nithſdaill, Galloway, Carrict, Kyle, Cunninghame and Cliddiſdaill; the Superintendent of Lowthiane, the kirks of Angus and Merns; the Superintendent of the West, the kirks of Lowthiane, Merce and Teviotdaill; Mr Knox, the kirks of Fyfe, Stratherne, Gowrie and Menteith; and try Miniſters, Exhorters and Readers, everie one within the forſaid bounds, reſpectivè, to ſuſpend for a tyme, or depoſe for anie cryme, or ignorance and inabilitie, as they ſall find them guiltie or unable; and for that purpoſe that commiſſions be given to everie one of the ſaid viſitors, and that they report their diligence to the nixt Aſſemblie in writ.

It was ordained, that everie Miniſter, Exhorter and Reader, ſall have one of the Pſalme Bookes latelie printed in Edinburgh, and uſe the order contained therein in Prayers, Marriage, and miniſtration of the Sacraments. C.]

Anent ane ſupplicatioun preſentit be Beatrix Livingſtoun, tuiching ane promiſe made to her be Patrick Hardie, to have ſolemnizat the band of matrimonie with her a long time ſince, his wyfe Kathrine Rutherfuird being on lyfe, and no divorcement paſt betuixt them; bearing alſo and make-and mention of ane decreit and deciſioun of the ſaids premiſſes, and nullitie therof, given and pronouncit be John Erſkine of Dun, Alexander Guthrie of Halkertoune, Robert Campbell of Kingeancleugh, and Mr Robert Hamiltoun; for verification wherof the ſaid Beatrix produceit the ſaid decreit ſubſcryved by the forſaids perſones in preſence of John Willock Superintendent of the West, Chriſtopher Guidman, and Mr George Hay, of the dait at Edinburgh the 1 day of July 1563, bearing in effect, that the ſaid promiſe made be the ſaid Patrick to the ſaid Beatrix on na way might be

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ſuſtainit be the law of the Evangell, and therefor the ſaid Patrick to be quyte therfra in all tyme comeing, in reſpect of the mariage ſtanding betuixt him and his wyfe forſaid indiſſolvit; and that the ſaid promiſe was not only null in the ſelfe, but alſo unjuſt and unlawfull, and that the makers thereof had offendit and was worthie of puniſhment at the diſcretion of the Kirk. Whilk ſupplicatioun being red and conſiderit, the haill Aſſemblie in ane voyce authorized and allowed the ſaid decreit pronouncit be the ſaid brethren, and alſo pronouncit the ſaid Patrick and Beatrix to be free fra the ſaid pretendit promiſe in time comeing, requyreing [referring ?] that puniſhment for making of the ſaid promiſe heirafter to the kirk and diſcretioun thereof.

Seſſ. 3a, 27 December 1564.

Anent the ſupplicatioun preſentit to the Aſſemblie in name of Paul Methven, and tuiching diverſe petitions therein conteinit, wherewith the Aſſemblie being rypelie advyſeit, and after long reaſoning had therein, with mature deliberation gave ther anſuers as follows.

Anent his receiving to repentance &c. the haill Aſſemblie with ane voyce are content to receive the ſaid Paul to repentance, alwayes preſentand himſelfe perſonalie befor them, declaring evident ſignes of unfained repentance, willing to obey ſick injunctiouns as the kirk ſall pleaſe to appoint him to doe and fulfill.

Tuiching his deſire to delete his proces out of there bookes, thereto the Kirk can na wayes condiſcend, neither think they that ſick a petitioun can proceid of the Holie Ghoſt, ſeing David a notable ſervant of God eſchewed not to write his awin offence to Gods glorie and his awin confuſioun.

Anent his admiſſioun to the miniſtrie within the realme, that was thoght no wayes ſufferable unto ſick tyme as the memorie of his former impietie be more deiply buried, and ſome notable kirks within this realme make earneſt requeiſt for his new acceptatioun. In lyke maner the Kirke ſignifies unto him, that his entrie in the miniſtrie in the parts of England, he being excommunicat and unreconciled, hes greivouſlie offendit them; as alſo the laſt part of his wryting, wher he accuſes falſe witneſſes, wha hes deponit no other thing in effect nor he hes confeſſed with his mouth in write. Farther the Aſſemblie requyrit the brethren to whom the ſaid Paul

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writes, that amongs uthers ther anſuers they ſignifie unto him, that he may ſafelie repaire toward this realme, notwithſtanding th'act latelie proclaimed agains adulterers.

[Mr Andrew Johnſtone complaining, that the judges deputed to tak cognition of the articles for which his brother Mr William was condemned be the Popiſh biſhops, wold not proceed to declaration, whether the ſaid articles war repugnant to the holie Scripture: The Aſſemblie decerned the articles not to be hereticall, ſo that a godlie interpretation be admitted in everie one of them; therefore ordained the judges to proceed to the finall deciſion of the ſaid action.

Full commiſſion was given to the ſuperintendent of Fyfe, the biſhop of Galloway, Mr John Row, Mr Chriſtopher Gudman, to tak cognition of the mutuall complaints of the proveſt and bailiffes of Coupar, upon Mr Robert Montgomrie their miniſter, and of his upon them, and to decide therein; and that their decreit be in readineſs to be ſhewed to the viſitor-depute for Fyfe, when he ſhall come in thoſe parts. C.]

Tuiching ſick as are relapſe the thrid tyme in any kind of crymes, ſick as fornication or drunkenneſs, it is ſtatute and ordainit that no particular miniſter admitt ſick perſones to public repentance, but to ſend them to the ſuperintendent of the dyocie wher the crymes are committed, with information therof, wha ſall give them ſick injunctiouns as they think may make the offences to be haldin in horrour; but chieflie that they compell the offender to ſatisfie the kirks wher the offences was made moe dayes nor ane, as the ſaid ſuperintendent ſall thinke good.

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A. D. M.D.LXV.

THE Generall Aſſemblie conveinit at Edinburgh, in the Nether Tolbuith therof, the 25 day of Junij 1565. In the whilk were preſent the Superintendents, Miniſters, and Commiſſioners of Shyres and Kirks. The invocatioun of the name of God being made by Johne Willock, Superintendent of the Weſt.

Firſt, For eſchewing of confuſione in reaſoning, the whole brethren preſent with ane conſent chuſe John Willock, Superintendent of the Weſt, to be moderator, who accepted the office.

[It was ordained, if anie ſuperintendent had anie thing to lay to the charge of anie miniſter, exhorter or reader within his bounds, that he preſent the ſame in writt this day and the morne; and ſicklyke, if anie perſon had anie thing to lay to the charge of anie ſuperintendent.

The Superintendent of Lowthiane and Mr Knox gave account of their viſitations, according to the commiſſion given to them in the Aſſemblie immediatlie preceeding. The Superintendents of Angus and of the Weſt alleged lawfull impediments which occurred ſince the laſt Aſſemblie; they wer ordained to putt in execution their commiſſions againſt October.

Mr Johne Frude, miniſter of Dummenie, and Patrik Craigh, miniſter of Ratho, being complained upon for not repairing to Linlithgow, to the exerciſe of prophecying, excuſed themſelves with want of charges, be reaſon their ſtipends were not duellie payed unto them. Mr Patrik Cockburn being complained upon for obſtinat refuſing to come to the Synodall and Generall Aſſemblies, it was ordained that he ſould be ſummoned to compeir upon Wedinſday. The Superintendent of Fyfe complained, that the kirk of Kilmanie, pertaining as a common kirk of

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Sanct Salvators Colledge in Sanct Andrews, wanted a preacher; Mr John Rutherfurde, proveſt, and William Ramſay, one of the maſters of the ſaid colledge, war content to ſtand to the deciſion of the Superintendent of Angus, the Superintendent of Fyfe, Chriſtopher Gudman and Mr George Buchanan.

The parochiners of Tinninghame complained, that they payed their tithes to the new colledge in Sanct Andrews, and wanted not the leſſe the miniſtrie of the word and miniſtration of the ſacraments: The rector of the univerſitie, and Mr John Douglaſſe, maſter of the ſaid colledge, promiſed to ſatiſfie the complainers. The Superintendent of Fyfe complained upon William Heriot, reader in Monyvaird, for removing to Strathardaill without licence obtained be him or the parochiners: The Aſſemblie ordained the Act made Junij 1564 to be putt in execution. The parochiners of Kilconquhar complained upon Mr Alexander Spence, miniſter, for not miniſtring the communion theſe ſix years bypaſt: The Superintendent of Fyfe and Chriſtopher Gudman were appointed to have a care that the communion ſould be miniſtred in the ſaid kirk before Candlemas nixt to come. C.]

Seſſio 2da, haldin the 26 of Junij 1565.

The haill kirk preſent for the tyme humblie requyreit the nobilitie preſent to be humble ſuters at her Hienes for the executioun of the law and actis latelie made agains violaters of the Sabboth day, committers of adulterie and fornicatioun, and deſyred every ſuperintendent to ſute for comiſſions to judges within their juriſdictiouns, giveand power to them to execute puniſhment agains the comitters of the ſaids crymes, according to the tenour of the ſaids lawes and actis. And in lyke manner to requeiſt her Hienes to cauſe thankfull payment be made of the miniſters ſtipends throughout all this realme. As alſo to complaine to her Grace, that wher of befor the kirk of [Commonnell, C.] in Carrick was aſſignit for payment of the miniſters ſtipends in Kyle and Carrick, is now givin be her Hienes to the 3ong Laird of Skeldoun; and in lykemaner the parochiners of Dalry ſhew that the lands of the kirk was aſſignit to the miniſters of the parochin, and now was givin to the Lord Provand, and to underſtand her Grace will heiranent.

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Ordaines for ordouring the articles to be ſent to the Queens Majeſtie, Johne Erſkine of Dun Superintendent of Angus and Mernes, Johne Willock Superintendent of the Weſt, Chriſtopher Gudman miniſter of St Androes, and Mr Johne Row miniſter of St Johnſtoun, to conveine after xi houres, and ſett them forth and preſent them to the Aſſemblie this day afternoone; whilk ordinance the ſaids perſones obeyit, and preſentit the articles to the Aſſemblie.

Tenor of the Articles.

Imprimis, That the papiſticall and blaſphemous meſſe, with all papiſtrie, and idolatrie, and popes juriſdictiouns, be univerſallie ſuppreſſed and aboliſhed through the haill realme, not only in the ſubiects, but alſo in the Queens Majeſties awin perſon, with puniſhment agains all perſouns that ſalbe deprehendit to offend and tranſgreſs the ſame; and that the ſincere word of God and his true religioun now preſentlie receivit might be eſtabliſhed, approved, and ratified throughout the whole realme, alſweill in the Queens Majeſties awin perſon as in the ſubiects, without any impediment, and that the peiple be aſtricted to reſort upon the Sondayes at leaſt unto the prayers and preaching of Gods word, lykeas they were aſtricted befor to reſort to the idolatrous meſſe; and thir heids to be provydit be act of Parliament with conſent of the eſtates, and ratification of the Queens Majeſtie.

Secondlie, that ſure proviſioun be made for ſuſtentation of the miniſters, as weill for the tyme preſent as for the tyme to come; and that ſuch perſones as are preſentlie admitted to the miniſtrie may have there livings aſſignit to them in the rowmes wher they travell, or at the leaſt nixt adjacent therto, and that they have no occaſioun to crave the ſame at the hands of any uthers; and that the benefices now vaikand or hes vaikit ſince the moneth of Marche 1558, or that heiraſter ſall happin to vaike, be diſponed to qualified and learned perſones, able to preach Gods word, and diſcharge the vocation concerning the miniſtrie, be the tryall and admiſſion of the ſuperintendents; and that no biſhoprick, abbacie, pryorie, deanrie, proveſtrie, or any uther benefices havand many kirks annexit therto, be diſponit altogither in any time comeing to any one man, bot at the leaſt

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the kirks therof be ſeverallie diſponit and to ſeverall perſons, ſwa that every man having charge may ſerve at his awin kirk according to his vocatioun; and to this effect that the gleibs and manſſes be givin to the miniſters, that they may make reſidence at ther kirks, wherthrow they may diſcharge ther conſcience conforme to ther vocatioun; and alſo that the kirks may be repaired accordinglie, and that ane law may be made and eſtabliſhed heirin be Act of Parliament as ſaid is.

Thridlie, That none be permittit to have charge of ſchooles, colledges or univerſities, or get privatlie or publicklie to inſtruct the youth, but ſuch as ſalbe tryed be the ſuperintendents or viſitors of the church, found ſound and abill in doctrine, and admittit be them to ther charges.

Fourthlie, For ſuſtentation of the poore, that all lands foundit to hoſpitalitie of old be reſtored againe to the ſame uſe, and that all lands, anuelrents or any uther emoluments, pertaining anywayes ſometyme to the freirs of whatſumevir ordour, or anuelrents, altarages, obits pertaining to preiſts, be applyit to the ſuſtentatioun of the poore, and uphald of the ſchooles in the townes and uthers places wher they lie.

Fyftlie, That ſick horrible crymes as now abounds in the realme, without any correction, to the great contempt of God and his holie word, ſick as idolatrie, blaſpheming of Gods name, manifeſt breaking of the Sabboth day, witchcraft, ſorcerie and inchantment, adulterie, inceſt, manifeſt whooredome, manteinance of bordellis, murther, ſlaughter, reife and ſpuilzie, with many uther deteſtabill crymes, may be ſeverelie puniſhed; and judges appointit in every province or dyocie for the execution therof, with power to doe the ſame, and that be Act of Parliament.

Laſtly, That ſome ordour be devyſit and eſtabliſhed for the eaſe of the poore labourers of the ground, concerning the unreaſonable payment of ther teynds, tane over ther heids without ther advyſe and conſent.

[Walter Lundie of that Ilk, William Cunninghame of Cunninghameheid, William Durham of Grange, George Hume of Spott, James Baron burgeſs of Edinburgh, war appointed to preſent theſe articles to her Hieneſſe, and to report ane anſwere before the diſſolving of the Aſſemblie, if they may convenientlie; if not, to the ſeſſion of Edinburgh, that they may ſignifie the ſamen to the ſuperintendents.

Adam, Biſhop of Orknay, Meſſrs Johne Craig, Chriſtopher Gudman, Johne Row, George Buchanan, and Robert Pont, were ordained to conveene and ſit from ſex till eight in the morning, to decide queſtions pro-

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poned or to be proponed, and to report their deciſion to the Aſſemblie, that the ſamen may be inſert in the regiſter.

The Commiſſioners appointed to trie the qualification of Johne Lynd miniſter at Irving, reported that he was unſufficient for the charge in that place.

Becaus ſundrie miniſters complaining of none payment of their ſtipend deſired libertie to remove, and paſſe to ſuche places deſtitute of the word, where they might be reaſonablie ſuſtained be the godlie; it was ſtatute and ordained, That no miniſter, exhorter or reader placed preſentlie at anie kirk, ſall attempt to remove himſelf till anſwere be receaved againe from the Queens Majeſtie to the articles directed to her; and that therafter none remove himſelf without the advice of the ſuperintendent of his diocie, and his licence in writt, under paine of deprivation from his office. C.]

The ſame day the Lairds of Carnell, Sornbeg and Dreghorne, requeſting humblie for ſupport of a miniſtrie for the kirks of Rickartoun and Dundonnald in Kyle, promiſit of their awin friewill that they ſould provyde ſtipends ſufficient according as the Kirk wald appoint, and that they ſould not remove from ther kirks for ſeiking payment of the ſame; whilk requeſt of thers the haill Kirk praiſit, and promiſit ſatisfactioun of their godlie deſyre.

Seſſio 3a, 27 Junij 1565.

Anent the queſtion proponit, whither children may contract marriage and marie without conſent of ther parents; and in ſpecial whither the promiſe made betuixt Robert Paterſone and Jenat Little, without the conſent of her parents, may ſtand; it is found that the ſaid Robert and Jenat hes not orderlie procedit in the ſaid promiſe, in ſa farre as they neither obtainit the conſent of the parents, nor get the lawfull ordour, repairit to the Kirk of God to lament that cauſe, and ſeik the ordinarie meane thairat be the Word of God appointit; and therfore the comiſſioners appointit by the Kirk for the deciſioun of queſtiouns, decernis they have not lawfullie proceidit in making the ſaid promiſe of mariage; and they ſould of duetie thus have proceidit, firſt, to requyre the conſent of the parents, whilk being refuiſit, then to make ther ſute unto the kirk, to concurre with them in ther lawfull proceidings according to the ordour obſervit in Gods word; and for the offence and unlawfull proceiding by paſt to make ſatiſfactioun

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to the Kirk, as they ſalbe appointit thereto. And heirupon ane generall ordour to be ſett foorth, as the General Aſſemblie ſall think good, to be obſerved in all particular kirks in all tyme comeing. This was ſubſcryvit be the Commiſſioners underwriten: Meſſrs. John Dowglas rector of the Univerſitie of St. Androes, Chriſtopher Gudman, George Buchanan, John Craig miniſter, John Row, Robert Pont.

Ane uther queſtioun, whither if a learned man having a benefice givin in Papiſtrie, or lately ſen the word hes bein preached in this realme, may leave the parochin wher he is perſon, deſtitute of preaching of the word, and enter miniſter to ſerve in another place for larger ſtipend. The foirſaids commiſſioners concludit, as followes: It is thought aggrieable to the word of God, that no faithfull preacher of Gods Word may enjoy ane benefice or living pertaining to the Kirk, except he remaine at the ſaid Kirk to diſcharge his office for the whilk he receivit the ſaid benefice: And that if he be tranſported be the kirk or ſuperintendent to any uther place, whereby he may not diſcharge his duetie in baith, that he be depryvit of the ane, and it be to be beſtowit upon another; provyding allwayes the foirſaid perſon be ſufficiently anſwerit of his ſtipend.

Ane other queſtioun, whither if a man abuſeing his couſignes, his fathers brothers daughter, ſevin zeirs, and begottin children, and preſentlie wald marie her, and underly correctioun, may marie or not. The degries are ſecond of conſanguinitie.

Thogh this be not found contrair to the Word of God, zet becauſe it hes bein publicklie reveilit in this realme, and that diverſe inconvenients are perceivit to enſeu of this liberty; thinks it good, that it be offered to the civill magiſtrate, or els to ane parliament, for ordour to be taken therein; in the mean time, that men take not libertie to themſelves according to there fleſchly filthie affectiouns; notheles that the perſones, in whoſe name this queſtion was proponit, be joynit in marriage after there public repentance for the offences bygane, without any hope that uthers have the like licence, whill farther ordour be tane be the civil magiſtrat, as ſaid is.

Anent the complaint givin in be the Superintendent of Fyfe, for the want of a preacher at the Kirk of Kilmany, pertaining as ane comoun kirk to St. Salvators Colledge in St. Androes, Mr John Rutherfuird Proveſt, and Mr William Ramſay ane of the miniſters, was content that the Superintendent of Angus and Fyfe, Mr Chriſtopher Gudman and Mr George Buchanan, ſhould conſider this complaint, and whatſoever they decydit therein and

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ordainit to be done, they ſhould fulfill the ſame in ſick ſort that no complaint ſould be heard heirafter.

Ane complaint was given in be the parochiners of Tinninghame, who payes ther teinds to the New Colledge of St Androes, and hes no preaching nor miniſtratioun of the ſacraments, Mr John Dowglas rector of the Univerſitie and maſter of the ſaid Colledge promiſed to the kirk to ſatiſfie the ſaids complainers reaſonablie, that heirafter the kirk ſall not be troublit with farder complaint.

[Tuiching the requeiſt of the Commiſſars of Edinburgh, that everie Miniſter or Reader ſould have a regiſter of the names of the deceaſed of the place where they dwell, the day of the moneth and yeere, and deliver the copie thereof to the procutor fiſcall, that pupills and creditors be not defrauded: It was anſwered, they could not lay ſuche a charge upon their brethren, in reſpect none or few of the Miniſtrie had manſes and gleebes to make reſidence in; bot how ſoone they obtained their manſes, they ſould exhort them, as they ſalbe required, to doe conforme to the ſaid Requeſt. C.]

Seſſio 4ta, 28 Junij 1565.

Anent the complaint givin in be Mr Donald Monro, againſt Mr John Robertſone, theſawrer of Ros, miniſter of Urquhart, and Johne Watſon, miniſter of Alves, That wher they both accepted the miniſtrie on them, and receivit ther ſtipends therfor, and now hes left ther vocation, requyrit the kirk to take ordour heirin: The haill Aſſemblie ordainit the ſaids perſons to repaire towards there charges in the miniſtrie, and enter againe therto incontinent after they be chargeit, under the paine of diſſobedience of the kirk, and diſchargeing of ther allowance and ſtipends.

[Mr Robert Pont commiſſioner of Murrey, was appointed to trie, if Williame Roſſe, Donald Adamſone, John Murquhouſone, and Alexander More, were worthie to be admitted be Mr Donald Monro as exhorters, to baptize and ſolemnize mariage.

Commiſſion was given to Mr George Hay, parſon of Ruthven, to viſite kirks, ſchooles and colledges from Dee to Spey, to plant, remove ſimpliciter, or for a ſeaſon, miniſters; to eradicate idolatrie, &c. till a Superintendent be admitted in the North, or at leaſt till nixt Generall Aſſemblie.

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The Superintendent of the Weſt was enjoyned to viſite the kirks betwixt Ure and Neth, as he doeth other kirks within his juriſdiction of Glaſgow, becaus theſe kirks pertained to that diocie of old; yitt the bounds of Superintendents charge was not conforme to the limits of the old diocies, for the diocie of Sanct Andrews was divided, and all the countrie dailes belonging to Glaſgow of old. C.]

The haill Aſſemblie with ane voyce and mynd chooſe Johne Knox, miniſter of Edinbrugh, to receive the anſuers of articles ſend from the Aſſemblie be the commiſſioners therof to the Q. Majeſtie, and to advertiſe the ſuperintendents of the ſame; and alſe that he advertiſe the faithfull of things neceſſar that ſall happin betwixt this and the nixt Aſſemblie.

Thanks beand givin to God be John Willock Superintendent of the Weſt, and the 25 of December nixt to come appointit for the nixt Aſſemblie to convein in Edinburgh, this Aſſemblie was diſſolved.

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A. D. M.D.LXV.

THE Generall Aſſemblie of the kirk, haldin in Edinburgh in the Ovir Tolbuith therof, the 25 of December 1565. In the whilk were preſent the Superintendents, Miniſters, Exhorters, and Commiſſioners of townes and kirks. The invocatioun of the name of God was made be John Knox, miniſter of Edinburgh.

Seſſio 1ma.

Firſt, for eſchewing of confuſioun in reaſoning, and that every brother ſpeak in his rowme with ſick modeſtie as becomes the miniſters of Gods word to doe, with the whole conſent of the brethren preſent, was choſen Johne Erſkine of Dun, knyght, Superintendent of Mernes and Angus, to be moderator at this tyme, who acceptit the office on him.

[The ſuperintendents of Louthian and Fife excuſed their ſlackneſs in viſitation be the abſence of the people following the Queen according to the proclamation. The Superintendent of Angus confeſſed, that he had not viſited any kirk for two moneths bypaſt; but alledged withall, that his viſitations could not be very profitable, in reſpect it behoved him to lodge in time of viſitation with his friends for the moſt part, who had moſt need of correction and diſcipline; therefor he beſought the Aſſemblie to provide ſome other to that office. Alexander, Commiſſioner of Galloway, excuſed his not viſiting, with the building of his nephews houſe.

Tuiching miniſters, exhorters, or readers diſobeying their ſuperintendent; the Aſſemblie ordained the ſuperintendent to call the diſobedient before himſelf and ſome of the neereſt diſcreit miniſters; and if being convict of diſobedience, he refuſe to ſatiſfie according to their injunctions, that he be ſuſpended from his miniſtrie and ſtipend till the nixt Aſſemblie: At the which the ſuperintendent ſhall notifie the whole proceeding, that

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be their cenſure he may be farder corrected, or els reſtored to his former eſtate, according to the evidence of his repentance; provided his kirk be provided for in the meanetime be the ſuperintendent.

Sir John Bellenden of Achinoull knight, Juſtice-Clerk, Mr James Makgill of Rankeillour, Mr John Row, John Craig, William Chriſteſone, David Lindſay, miniſters, and David Forreſt, were appointed to conveen upon Wedneſday, to decide queſtions proponed, and to report their deciſions. C.]

The ſuperintendent of Lowthiane complainit upon Mr Johne Frude, miniſter of Dumemanie, that wherin the laſt Generall Aſſemblie of the kirk it was decernit that Robert Paterſone and Jenat Litell ſould have ſatiſfied the kirk of Edinburgh, for the offence committed be them in contracting mariage without parents counſell, ȝet nevertheles the ſaid Mr John had perſwadit them to ſolemnize the ſaid mariage, ther bands not being proclaimit, and na ſatiſfactioun made to the kirk of Edinburgh; and alſo had cauſit Mr Patrick Creich miniſter of Ratho to ſolemnize the ſaid mariage betwixt the ſaid parties in the kirk of Dumemanie, in great contemptioun of the decreit foirſaid, and all good ordour heirtofoir obſervit in the reformit kirk; deſyreing the kirk publicklie aſſemblit to take ordour herein, aſweill anent the ſaids parties as the ſaids twa miniſters. The kirk ordainit to call both the ſaids parties and miniſters to anſuer to the ſaid complaint, betuixt this and the end of the Aſſemblie.

In lyke maner, Mr Johne Winram complainit upon the ſaid Mr Johne Frude, that by his counſell and perſwaſion the Ladie Kilconquhar and Johne Weymis had contractit mariage [per] verba de preſenti, notwithſtanding that ane woman, called Elizabeth Pot, had claimed the ſaid Johne Weymes before the ſuperintendent, whilk clame was not ȝet juſtified; and that Mr Andro Kirkadie had maried the ſaids perſouns, after the miniſter was departed out of the kirk where they were maried. Ordained in like manner to anſwer to this complaint.

The haill Aſſemblie appointit Mr Johne Row at St Johnſtoun to put in wryte anſwers to the anſwers givin be the Queens Majeſtie to the Articles preſentit to her Hienes be the Commiſſioners of the laſt Aſſemblie of the Kirk, becauſe her Hienes anſuers ſatiſfied not fullie the Kirk, as in the ſamein plainly appeareth; and the ſaid Mr Johne to preſent them the morne after the preaching to the Aſſemblie, to advyſe therwith, befor ther preſenting to her Grace.

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Followes the anſuer givin be the Queens Majeſtie to the Articles preſentit to her Grace be the Commiſſioners of the Aſſemblie laſt haldin the 25 of Junij 1565, and als anſuers and requeiſts to theſe anſuers now conceivit in this Aſſemblie.

The Queens Majeſties Anſuer.

To the firſt, deſyreing the meſſe to be ſuppreſt and aboliſht, alſweill as in the head as in the members, with the puniſhment agains the contraveiners; as alſo the religioun now profeſſit to be eſtabliſhit be ane act of Parliament: It is anſuerit firſt, for the part of her Majeſties ſelfe, that her Hienes is nawayes ȝet perſuadit in the ſaid religioun, nor ȝet that any impietie is in the Meſſe, and therefor believes that her loving ſubjects will no wayes preaſe her to receive any religioun agains her awin conſcience, whilk ſould bring her to perpetuall trouble be remorſe of conſcience, and therwith ane perpetuall unquyetnes. And to deall plainly with her ſubjects, her Majeſtie neither may nor will leave the religioun wherin ſcho hes bein nouriſhit and upbrocht, and beleives the ſamein to be weill groundit; knowing, beſydes the grudge of conſcience, if ſcho ſould receive any change in her awin religioun, that ſho ſould tyne the freindſhip of the King of France, the ancient allya of this realme, and of other great princes her friends and confederates, who wold take the ſamein in evil pairt, and of whom ſcho may looke for great ſupport in all her neceſſities. And having no conſideration that may counterwey the ſame, ſho wilbe laith to put in hazard the loſe of all her freinds in ane inſtant; praying all her loving ſubjects, ſeeing they have had experience of her goodneſs, that ſcho neither hes in tymes bypaſt not ȝet meanes heirafter to preaſe the conſcience of any man, but that they may worſhip God in ſick ſort as they are perſuadit to be beſt, that they alſo will not preaſe her to offend her awin conſcience.

As for eſtabliſhing of religioun in the body of the realme, they themſelves knowe, as appeirs weill be ther Articles, that the ſame cannot be done be only aſſent of her Majeſtie, but requyres neceſſarlie the conſent of the thrie eſtates in Parliament; and therfor ſa ſoone as the Parliament holds, that whilk the thrie Eſtates aggries upon among themſelves, her Majeſtie ſall grant the ſame to them, and allwayes make them ſure that no man

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ſalbe troublit for uſing themſelves in religioun according to ther conſcience, ſo that no man ſall have cauſe to doubt that for religiouns ſake mens lyves or heiritages ſalbe in hazard.

To the ſecond article it is anſuerit, that her Majeſtie thinks it no wayes reaſonable that ſcho ſould defraude her ſelfe of ſa great a pairt of the patrimonie of her crowne, as to put the patronage of benefices furth of her awin hands; for her awin neceſſitie in bearing of her port and commoun charges will requyre the retentioun of ane good part in her awin hands. Nottheles her Majeſtie is well pleaſed, that conſideration being had of her awin neceſſitie, and what may be ſufficient for her, and for the reaſonable ſuſtentatioun of the miniſters, ane ſpeciall aſſignation be made to them in places moſt comodious to intromett therwith; the whilk her Majeſtie ſall not intromett with, bot ſuffer the ſamein to come to them.

To the thrid Article, her Majeſtie ſall doe therein as ſalbe aggreeit be the Eſtates in Parliament.

To the fourth Article, her Majeſties liberalitie towards the poore ſalbe alwayes als farre extendit as can be reaſonablie requyrit at her hands.

To the fyfth Article, her Majeſtie will referre the takeing ordour with th at, andals of the ſaxt Article, to the Parliament.

The anſuers of the Kirk to thir above wrytin followes.

Firſt, where Her Majeſtie anſuers that ſcho is not perſwadit in religioun, neither that ſcho underſtands any impietie in the Meſſe, bot that the ſamein is well groundit. That is no ſmall greife to the chriſtian hearts of her godlie ſubjects, conſidering that the trumpet of Chryſts evangell hes bein ſo long blown in this countrey, and his mercie ſo plainly offerit in the ſame, that her Majeſtie remains ȝet unperſuadit of the truth of this our religioun; for our religioun is nocht els bot the ſame religioun whilk Jeſus Chryſt hes in the laſt dayes reveilit from the boſome of his Father, whereof he made his Apoſtles meſſingers, and they preachit and eſtabliſchit among his faithfull, to the gaine comeing of our Lord Jeſus Chryſt; whilk differs from the impietie of the Turkes, the blaſphemie of

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the Jewes, the vaine ſuperſtitioun of the Papiſts, in this, that our religioun hes only God the Father, his only Sonne Jeſus Chryſt our Lord, his Holie Spirit ſpeikand in his Prophets and Apoſtles for authors therof, and ther doctrine and practiſe for the ground of the ſame; the whilk no uther religioun upon the face of the earth can juſtlie alledge or plainly prove; zea, whatſomevir aſſureance the Papiſts hes for manteinance of ther religioun, the ſame hes the Turkes for manteinance of ther Alcoran; and the Jewes farre greater for defence of ther ceremonies, whether it be antiquitie of tyme, conſent of peiple, authoritie of [counſells,] great number or multitude conſenting together, or any other ſick lyke cloakes they can pretend; and therefor, as we are dolorous that Her Majeſtie in this our religioun is not perſuaded, ſo moſt reverentlie we requyre in the name of the Eternal God, that her Hienes wald imbrace the means wherby ſcho may be perſwadit of the trueth; whilk preſentlie we offer unto Her Grace as weill be preaching of his Word, whilk is the chiefe means appointit be God to perſwade all his choſen children of his infallible veritie, as be publick diſputation agains the adverſares of this our religioun, deceivers of her Majeſtie, whenſoevir it ſalbe thoght expedient to her Grace. And as to the impietie of the Meſſe we darre be bold to affirme, that in that Idole ther is great impietie; from the beginning to the ending, it is nothing els bot ane maſſe of impietie; the author or ſayer, the actioun itſelfe, the opinioun thereof conceivit, the heirars and gazers upon it allowes ſacriledge, pronounces blaſphemie, and comitts moſt abominable idolatrie, as we have evir offerit and zet offer ourſelves moſt manifeſtlie to prove.

And wher her Majeſtie eſteims that the change of religion ſould diſſolve the confederacie and allyance that ſho hes with the King of France and uthers princes: Aſſuredly Chriſts true religion is the undoubtit meane to knitt up ſure true confederacie and friendſhip with him that is King of all kings, and him who hes the hearts of all princes into his hands; whilk ought to be more precious to her Majeſtie nor the confederacie of all the princes; without the whilk, neither confederacie thereof nor kindneſs can indure.

Concerning her Majeſties anſwer to the ſecond article, wheras ſcho thinks it no wayes reaſonable to defraude her ſelfe of the patronage of the benefices, whilk her Majeſtie eſteimes to be ane portion of her patrimonie, and that her Majeſtie is myndit to retaine a good part of the benefices in her awin hands to ſupport the comoun charges.

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As to the firſt point, [our mind is not], that her Majeſtie or anie uther patron of this realme ſould be defrauded of ther juſt patronages; bot we meane whenſoevir her Majeſtie or any uther patron does preſent any perſon to a benefice, that the perſon preſentit ſould be tryit and examineit be the judgement of learned men of the kirk, ſick as preſentlie are the ſuperintendents appointed therto. And as the preſentation of benefices pertaines to the patrone, ſa aucht the collatioun therof be law and reaſon pertaine to the kirk; of the whilk collatioun the kirk ſould not be defraudit, more nor the patrones of ther preſentation; for utherwayes, if it ſalbe leiſum to the patrone abſolutely to preſent whomever they pleaſe, without tryall or examination, what then can abyde in the kirk of God bot meere ignorance without all ordour.

As to the ſecond point, concerning the retentioun of a good part of the benefices in her Majeſties awin hands: this point aberreth ſo farre from good conſcience, alſweill of Gods law as fra the publick ordour of our comoun lawes, that we are loath to opin up the ground of the matter be any long circumſtances; and therfor we moſt reverently wiſh that her Majeſtie wold conſidder the matter with herſelfe and her wiſe counſell, that howſoevir the patronage of benefices may appertaine to hir ſelfe, ȝet the retentioun therof in her awin hands, undiſponit to qualified perſouns, is both ungodlie and als contrair to all publick ordour, and brings no ſmall confuſioun to the poore ſoules of the comoun peiple, who by this means ſould be inſtructit of their ſalvation. And wher her Majeſtie concludes in her ſecond anſuer, that ſcho is content that ane ſufficient and reaſonable ſuſtentatioun of the miniſters be provydit to them, be aſſignatiouns in places moſt comodious to them, conſideratioun beand had of her awin neceſſitie; as we are deſyreous altogether that her Graces neceſſitie ſould be releivit, ſo our duetie craves that we ſould notifie to her Grace the true ordour that ſould be obſervit to her in this behalfe, whilk is this: The teyndis are properlie reputit to be the patrimonie of the kirk, upon the whilks befor all things they that travells in the miniſtrie therof, and the poore indigent members of Chryſt, aucht to be ſuſtainit, the kirks alſo repairit, and the ȝouth brocht up in good lettres. Whilks things beeand done, then uther neceſſitie reaſonable might be ſupported, according as her Grace and her godlie counſell could think expedient. Allwayes, we cannot but thank her Majeſtie moſt reverently, of her liberall offer of aſſignatioun to be made to the miniſters for ther ſuſtentation, whilk not theles is ſo generallie conceivit, that without more ſpeciall

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condeſcending upon the particulars therof, no executioun is able to follow therupon. And ſo to conclude with her Majeſtie at this preſent, we deſyre moſt earneſtlie the ſaids miniſters articles to be reformit; beſeikand God, that as they are reaſonable and godlie, ſo her Graces heart, and the eſtates preſentlie conveinit, may be inclynit and perſuadit to the performance therof.

Seſſ. 2a. 26 December 1565.

Anent the generall complaint of the miniſters, exhorters and reidars, for wanting of their ſtipends, and as touching them that hes put violent hand in miniſters for reproveing of vyce, the haill Aſſemblie ordainit ane generall ſupplicatioun to be preſentit to her Majeſtie and counſell; and als requeiſtit the Lord Lindeſay, and David Murray, brother to the Laird of Balvaird, to preſent the ſame, and to report the anſuer againe to the Aſſemblie.

The tenour of the ſupplication followes.

Unto zour Majeſtie and moſt honourable counſell, humblie meanes and complaines, We zour Graces moſt obedient ſubiects, the confeſſors of Chryſt Jeſus, and his holie evangell within this realme, in name and behalfe of our miniſters, exhorters and reidars; that wher oft and divers tymes promiſe hes bein made to us, that our ſaids brethren, travelers and preachers in the kirk of God, ſould not be defraudit of their appointit ſtipends, neither zet in any wayes ſould be moleſtit in their functioun; zet nottheles univerſallie they want ther ſtipends appointit for diverſe tymes by paſt; violent hands are puttin in ſome for no uther cauſe, as they alledge, but for reproving of vyce; and none knowes what aſſureance he ſall have of any reaſonable lyfe in tyme to come. Our moſt humble requeiſt is therfor unto zour Majeſtie, that our miniſters may be payed of ther by gane ſtipends; that ſick as hes receivit aſſignatioun therof from the former collectors, may have executioun of ther aſſignatiouns; that zour Grace pleaſes to appoint the aſſignatioun promiſed into zour Hienes laſt anſuers to the petitiouns of the kirk, ſo that we may know be what meanes our ſaid miniſters may be ſuſtainit in tyme to come; and finally, how they may live without moleſtatioun of wicked men: And zour Graces anſuer we moſt humblie beſeik.

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Anent the queſtion, whither any might marie his wyfes brother daughter, or his wyfes ſiſter daughter, and what ordour ſould be tane if any ſick mariages be made, it was votit and found be the word of God, that none may marie his wyfes brother or ſiſter daughter, and if any ſuch mariages was contracted, the ſamein to be null and aught not to ſtand.

Perſons revolting from the profeſſioun of the goſpell, by offering ther children to be baptized after the papiſticall maner, or receiving themſelves the ſacrament of the altar, after admonitioun, to be excommunicat if repentance intervein not, &c.

[The Commiſſioners of Sanct Andrews requeſted that Mr Knox might be tranſplanted and placed in Sanct Andrews, which was refuſed. The Aſſemblie willed them to choice one out of their own univerſitie, in place of Chriſtopher Gudman, who latelie departed into England. C.]

Seſſ. 3a 27 December 1565.

Anent the complaint givin in be the Superintendent of Lowthiane aganis Mr Patrick Creiche, miniſter of Ratho, for the marieing of Robert Paterſone and Janet Littell in Dumanie kirk, neither the bands being proclaimit, nor 3et ſatiſfactioun made to the Kirk of Edinburgh, according to the tenour of the decreit of the laſt Aſſemblie: The ſaid Mr Patrick grantit publicklie that he had offendit, and ſubmittit himſelfe to the correctioun of the kirk. Therfor be the haill Aſſemblie he was ordainit to ſatiſfie the kirk of Edinburgh, upon two ſeverall ſondayis, be his awin opin confeſſioun, when the ſaid Kirk of Edinburgh ſall requyre him; and the thrid ſonday, to ſatiſfie the Kirk of Dumdanie, wher the offence was committed; ſuſpending for this preſent all farder correctioun, in hope of his better bearing in tymes to come.

The haill Aſſemblie in ane voyce ſtatutes and ordaines, that no miniſter heirafter receive the parochiners of ane other paroch to be maried, without a ſufficient teſtimoniall of the miniſter of the paroch wherfra they came, that the bands are lawfullie proclaimit, and na impediment found; ſua that the ordour that hes bein tane be the kirk in ſick affaires be dewlie obſervit, under the paine of deprivatioun fra his miniſtrie, tinſell of his ſtipend, and uthers paines, as the Generall Kirk ſall heirafter thinke to be injoynit.

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Anent the complaint givin in be the Superintendent of Fyfe agains John Melvill, miniſter of Craill, alledging the ſaid John to preceid to the ſolemnizatioun of mariage betuixt Robert Arnot and Euphame Corſtarphin, notwithſtanding that ane uther woman claims the ſaid Robert; the haill kirk aſſemblit, ordainit ane inhibitioun to paſſe agains the ſaid Johne, that he in no wayes ſolemnize the ſaid mariage untill ſick tyme as Mr John Dowglas, rector of the Univerſitie, and Mr James Wilkie regent, heare the complaints to be givin in be the ſaid ſuperintendent, and alſe any uther partie haveand entreſſe, and the ſame to be diſcuſſit be them; giveand power to them to give foorth ſentence according to Gods word, and to uſe the cenſures of the kirk agains the diſſobeyars.

Seſſ. 4ta, 28 December 1565.

[The Aſſemblie gave commiſſion to Mr John Row, miniſter of Sanct Johnſton, to viſite kirks, ſchools, colledges, to remove or ſuſpend miniſters, exhorters, readers, in Kyle, Carrick, and Cuninghame, as they ſhall be found offenſive or unable, to eradicat idolatrie, &c. and the Superintendents of Angus and Fife to ſupply his place in his abſence alternatim.

Mr Knox was appointed to penn a comfortable letter, in name of the Aſſemblie, to encourage miniſters, exhorters, readers, to continue in their vocation, which in all likelihood they were to leave off, for lack of payment of ſtipends; and to exhort the profeſſors within the realm to ſupply their neceſſities. He was appointed likewiſe to viſite, preach, and plant kirks in the South, where there was not a ſuperintendent, and to remain ſo long as occaſion might ſuffer. C.]

Maſter Johne Frude, miniſter of Dumemanie, is ordained to ſatiſfie, as is befor ſett downe in the thrid ſeſſioun anent Mr Patrick Creich, for his offence ſpecified in the act of the firſt ſeſſioun; ſuſpendand the ſaid Mr Johne fra all functioun in the miniſtrie in the meantime, whill the compleiting of the ſaid ſatiſfactioun, and theraſter to returne to his vocatioun and miniſtrie.

[The brethren appointed in the firſt ſeſſion to decide queſtions, reported the queſtions and deciſions to this ſeſſion. C.]

It was aſkit, if it be lawfull that a miniſter, what title or honour that ever he beare, receiving ſufficient benefite and proviſioun of his flocke, may leave them, and make his comoun reſidence in uther places, ſo that his

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flocke is deſtitute alſweill of his doctrine and miniſtrie, as of other comfort that the flocke ſould receive of ane faithfull paſtour, notwithſtanding that worldlie reaſons may ſeime to excuſe the abſence of ſome?

The anſuer.—No miniſter of the evangell of Jeſus Chriſt, nor no perſon receiving ſufficient living for the preaching of the evangell, may with ſafe conſcience leave his vocatioun, together with his flocke, and the place appointit for his ordinarie reſidence, what permiſſione and overſight that ever he hes be corruptioun of tymes, or negligence of rulers, ſa to doe.

If ſick as hes once entrit in the miniſtrie, bein appointit be the ſuperintendent, and receivit of the peiple, may leave ther vocatioun and follow the world, becauſe they cannot have a ſufficient ſtipend?

The anſuer.—Seing that our maſter Chryſt Jeſus pronounces that he is but ane mercenarie ſhepheard, who ſeiing the wolfe comeing, flieth for his awin ſafeguard, and that the very danger of lyfe cannot be ane ſufficient excuſe for ſick as fall back from Jeſus Chryſt; We on na wayes thinks it lawfull that ſick as once puts there hand to the plough, ſall leave that heavinlie vocation and returne to the profane world, for indigence or povertie. Lawfullie they may leave ane unthankfull peiple, and ſeik wher Jeſus Chryſt his holy evangell may bring foorth greater fruit; but lawfullie they may never change their vocatioun.

[Their judgement concerning marreage contracted without conſent of parents, was referred to farder adviſement; the order preſcribed be the Aſſemblie to Robert Paterſon and Janet Littill excepted. C.]

If knowin murtherers, with convict adulterers, together with ſick as comitt [the like] horrible crymes, may not, upon the notoritie of ther fault, be denunceit excommunicat, for declaratioun that the kirk abhorres ſick impietie, &c.?

Anſuer.—The kirk may and aught to purge her ſelfe of ſick notorious malefactors, provyding that the offenders be lawfullie callit, and convict either be ther awin confeſſioun or witnes.

The ordour to call them for the ſlander (for civill things we remit to the civile magiſtrate) we judge to be this: Whenſoever ſick fearfull crymes are comittit, if it be in the country, the miniſter, reidar, or exhorter of that place, or if ther be nane, the miniſter of the place nixt adjacent, aught to give ſignificatioun of the fact to the ſuperintendent of that dyocie, who without delay ought to direct his ſumounds, chargeing the perſons ſlanderit to compeir before him at a certaine day and place.

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Or, if it be done in townes wher ordour is eſtabliſhed, the ſeſſioun therof aught to call the accuſit offenders, who, if they compeir, and either alledge juſt defence, or ſhew themſelves unfainedly penitent, then man the ſuperintendent, and kirks reformed without the ſuperintendent, diſpenſe ſomewhat with the rigor of the puniſhment, ſecluding onlie the offender fra participatioun of the ſacraments till farder tryall of his repentance, and that baith ther diligence and ſentence be publicklie pronounceit in the kirk wher the offence is knowin.

Bot if the offender be ſtubborne, as if he compeir not or ſhew himſelfe litle touchit with his offence, then aught the ſuperintendent, with advyce of the nixt reformit kirk, to diſcerne him or them to be ſecludit from all participatioun of comunioun with the faithfull members of Jeſus Chryſt, and to be givin to Satan to the deſtructioun of the fleſch, whois ſlaves, (be impietie committit, and impenitencie ſhawin), they declare themſelves to be; and ther ſentence to be publiſhit in all places wher the offence is knowin. If the perſons ſecludit from the ſacraments be negligent in ſeiking reconciliatioun with the kirk, behave themſelves inſolentlie or utherwayes then it becomes penitent perſons, the kirk, after admonitioun, may proceid to the uttermoſt; for wanton behaviour, after iniquitie comittit, is ane plaine argument of impenitency; and negligencie to ſeik reconciliatioun, declares that contempt lurkes in the heart.

If baptiſme be adminiſtrat be ane papiſt preiſt, or in the papiſticall maner, ſalbe reiterat.

When ſick children comes to zeirs of underſtanding, they ſould be inſtructit in the doctrine of ſalvatioun; the corruption of the papiſtrie muſt be declared to them, whilk they muſt publicklie damne befor they be admittit to the Lords Table, whilks if they doe, there neids not the externall ſigne to be reiterat, for no papiſts miniſters baptiſme without watter, and ſome forme of word, whilk are the principalls of the externall ſigne. We ourſelves were baptized be papiſts whoſe corruptiouns and abuſes now we damne, cleaving only to the ſimple ordinance of Jeſus Chryſt, and to the vertue of the Holy Spirit, whilk makes baptiſme to work in us the proper effects therof, without any reiteratioun of the externall ſigne. If ſuch children come never to the knowledge of the true doctrine, they are to be left to the judgement of God.

What ordour ought to be uſit agains ſick as oppreſſis children?

As concerning puniſhment, the civile magiſtrate aught therein to diſ-

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cerne; as touching the ſlander, the perſons aught to be ſecludit from participatioun of the Sacraments, whill they have ſatiſfied the kirk as they ſalbe comandit.

What puniſhment ſalbe uſit agains them that ly in fornicatioun, under promiſe of mariage, whilk they deferre to ſolemnizat, and to ſatiſfie be publick repentance for the ſlander givin? Alſweill the man as the woman, ſould publicklie in the place of repentance lykewayes ſatiſfie on ane Sonday befor they be maried.

[Mr John Craig, one of the miniſters of Edinburgh, Mr John Douglas rector of the Univerſitie of Sanct Andrews, Mr Robert Maitland deane of Aberdein, William Chriſtieſone miniſter at Dundie, Mr David Lindſay miniſter at Leith, Mr Gilbert Garden miniſter at Moniefuth, Mr Thomas Mackcalzean, and Mr John Marjoribankes, commiſſioners for Edinburgh, were appointed, in the third ſeſſion, to collect the heads and cauſes of the publick faſt: They returned in this ſeſſion, and declared the neceſſitie of a publict faſt at this time; therfor the Aſſemblie, with ane voice, ordained Mr Knox and Mr Craig miniſters at Edinburgh, to ſet out the form therof, with the exerciſe to be uſed in the ſame, and to cauſe Robert Likprevick print it. C.]

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A. D. M.D.LXVI.

THE General Aſſemblie of the kirk, haldin in Edinburgh, within the counſell houſe therof, the 25 day of Junij 1566. In the whilk were preſent Erles, Lords, Barons of the Privie Counſell, viz. Erle of Huntlie, chancellar, and Erle of Argyle, Alexander of Galloway, Adam of Orknay, ane of the ſeſſioun, Johne, commendator of Lindoiris, Johne Balfour of Pettindreich, knycht, with the Superintendents, Miniſters, and Commiſſioners for townes and particular kirks. The invocatioun of the name of God made be Mr John Craig, miniſter of Edinburgh.

Firſt, for eſchewing confuſioun in reaſoning, and to the effect that every brother ſpeake with ſick modeſtie and meaſure as becomes the miniſters of Gods word to doe, with the aſſent of the whole Aſſemblie, Johne Erſkine of Dun, knycht, Superintendent of Angus and Mernes, was continuat moderator, who was content for the preſent to uſe the office.

[In the tryall of ſuperintendents, the Superintendent of Fife confeſſed his own inabilitie to diſcharge the office, and deſired the Aſſemblie to denude him of it.

Mr Johne Douglas rector of the Univerſitie of Sanct Andrews, Mr George Hay miniſter of Ruthven, Mr George Buchanan, Mr Robert Pont and Mr Robert Hamiltoun, were appointed to ſit apart at ſet times, to receave and decide queſtions, and to report the deciſions to the Aſſemblie. C.]

Ordaines that ſome of the brethren, in name of the haill kirk, make ſupplicatioun to the Secreit Counſell and Seſſioun of Juſtice, that no excommunicat perſon have any proces befor their honours unto the tyme they be reconcileit to the kirk, cheiflie when it is notour and objectit agains.

Anent the ſupplicatioun preſentit be this Aſſemblie, in name of Robert, comendator of Halierudehouſe, ſhawand in effect how it was not unknawin

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to there wiſdoms, that he had diverſe godlie and learned men of his awin place of Halyrudehous, ſick as Alexander Forreſter and Peter Blackwood, who are men of good converſation and literature, were received and admittit be the kirk in the miniſtrie, and how he had diverſe kirks pertaining to the ſaid kirk, as the kirks of Tranent and St Cuthbert, and alledgit that moſt decent and convenient it were that his ſaids kirks ſould be ſervit be the ſervants of the ſaid abbay: Heirfor requeiſtit moſt earneſtlie that the kirk preſentlie aſſemblit ſould tranſport Mr Thomas Cranſtoun and William Harlaw, now miniſters of his ſaids kirks, and place them at ſome uther kirk as ſould be thoght good be the haill Aſſemblie to appoint them, and to place his ſaids ſervants at his ſaids kirks as miniſters, there to be ſervit be them in tyme comeing, as in the ſaid requeiſt at lenth was conteinit.

The kirk having rypelie conſidderit the ſaid ſupplicatioun, and advyſeit therupon, cauſit call befor them ſome of the elders of the ſaids parochines, and diligentlie inquyred if they had any fault to lay againſt there miniſters, or if they wald be content that they ſould be tranſportit fra them? Anſuer was givin, that they had no cryme nor fault to there miniſters, but that they were better contentit with them then they wald be with any other who could be preſentit to them, and attour on naway wald be content that any of them ſould be tranſportit from them. Therfor the kirk preſentlie aſſemblit, on naway could condiſcend to the tranſportatioun of any of them, for the reſpects befor rehearſit; bot brotherlie requeiſtit the ſaid Lord Comendator to provyde for ſome uther godlie miniſters for ſome uthers of his kirks whilks are altogether deſtitute of the preaching of the true word of God, the ſpeciall foode of ther ſoules, whilk they doubt not but his Lordſhip will doe for diſcharge of his awin conſcience.

[It was ordained that a requeſt be written, and ſent to the noblemen in whoſe bounds ſome popiſh preiſts haunted and remained, and abuſed the ſacraments, and celebrated marriages for lucre. C.]

Seſſ. 2da. 26 Junij 1566.

The haill Aſſemblie, in reſpect of the perrills and dangers wherwith the kirk of God is aſſaulted, and that be the mightie enemies, concludit a generall faſt to be publiſhed throughout this realme in all the kirks reformeit.

[A publick faſt was appointed to be holden on the two laſt Sabbaths of

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Julie nixt, and the communion to be miniſtred upon the ſaids Lords days, if it may be done convenientlie. C.]

Anent the ſupplicatioun givin in be Paul Methven, makeand ane lang rehearſall of his miſerable eſtate, the ſupplicatioun preſentit in his name to the Generall Aſſemblie haldin in Edinburgh in December 1564; of the eſtate of the anſuer therto from the ſaid Aſſemblie; of his long and tedious journey out of Ingland to Scotland, and impediments that chanced him by the way. Finallie, requeiſts for ane of thir twa, that is, either to ſuſpend excommunicating of the kirk for a tyme, and receive him in the fellowſhip of the ſame, as ane poore ſheip, upon ane conditioun, wher evir he chances to be, upon halfe a zeirs warning, he ſalbe bund to returne againe at command of the kirk, and obey ſick injunctiouns as they wold command him to doe. Or if the kirk pleaſit not this petitioun, then to committ his anſuer to ſick as the kirk ſould pleaſe appoint, whoſe judgement and determinatioun (as his bodie micht beir) hé promiſed be Gods grace moſt humblie to obey. Finallie, all counſell that have followit heirtofoir, and himſelfe he moſt humblie ſubmittit to the judgement of the preſent Aſſemblie, as in the ſaid ſupplicatioun at length was conteinit. Laſt of all, it was ordainit that he preſent himſelfe perſonallie befor the Aſſemblie; and being entrit, proſtrate himſelf befor the whole brethren, with weiping and houleing; and commandit to ryſe, might not expreſſe farder his requeiſt, being as appearit ſo ſore troublit with anguiſh of heart, was deſyrit to be of good confort, and depart to his ludging, whill ordour were tane anent his requeiſt.

And forſameikle as in the ſaid Aſſemblie, haldin in December 1564, it was concludit to receive him to repentance, now reſtit to conclude upon the maner therof what he ſould doe, when and wher; and for that purpoſe was appointed the Superintendent of Fyffe, Mr Johne Dowglas rector of St Androes, David Forreſt, Mr George Hay miniſter of Ruthven, Mr Johne Craig miniſter of Edinburgh, Johne Row of St Jonſtoun, William Chryſteſone of Dundie, and Adame Heriot of Aberdeine, miniſters, that they ſevin or ſixe of them ſould conveine the morne, at ſevin houres befor noone, and appoint and take ordour in the premiſſes; and whatſumevir they doe heiranent, to ſignifie the ſame to the ſuperintendent of Lauthiane and ſeſſion of the kirk of Edinburgh; and ordaines them to put the commiſſioners ordinance to execution; and als ordaines that the ſaid Paul Methven obey the ſame according to ther directiouns; and ordaines that

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the ſaid ſuperintendent and kirk of Edinburgh, delyver the ſaid ordinance to the ſcribe of the Generall Aſſemblie, that he may inſert the ſame among uthers acts of the Generall Aſſemblie, for ane remembrance to the poſteritie.

Queſtions and ther Anſuers.

Firſt, It is aſked, if any man contract mariage with ane woman once maried, and her huſband departing fra her to uther countreyes, and being abſent ix or x zeirs together, the woman having no teſtimoniall of his death or not?

Anſwerit, The woman deſyreing to marie, aught to ſeik, or cauſe to ſeik, whither her firſt huſband be dead or not, and to report ane ſufficient teſtimoniall of his death or ever ſcho may joyne herſelfe to another huſband.

Whidder, if any perſon ſeikand donatioun or confirmation of benefices at the Popes kirk, may be admittit to miniſter in the kirk of God?

Anſwerit, That ſick a perſon aught not to be admittit to the miniſtrie, as the queſtion is conceivit.

[Whether a miniſter may enjoy a benefice ſufficient for his ſuſtentation, where he travelleth not in the preaching of the word? It was anſwered, That he ought to travell in the word where he receaveth his ſuſtentation, unleſs the kirk appoint otherwiſe. C.]

The commiſſioners appointit be the Generall Aſſemblie for ordouring of Paul Methven his repentance, [reported the ſame to Mr John Gray ſcribe of the Aſſemblie, in the tenour as followeth. C.] In conſideratioun of the ſaid Pauls lamentable ſupplicatioun to the kirk, humble ſubmiſſioun of himſelfe to the ſame, and his abſence out of this realme the ſpace of two zeirs or mair; Ordaines the miniſtrie of Edinburgh, that he upon ane Sonday after ſermoun notifie unto the peiple the ſaid Paul his ſupplicatioun, and how the General Aſſemblie hes ordainit to receive him to repentance with the conditions underwryten: And therfor to admoniſh all faithfull brethren that they, within the nixt aucht dayes, notifie to the ſaid miniſter of Edinburgh, if any of them hes any knowledge, or are ſurelie informit of the ſaid Paul his converſatioun and behaviour ſince his departure forth of this realme, whilk might imped his receiving to repentance; whilk ſalbe on this maner, viz. The ſaid Paul, upon the ſaid two preaching dayes betuixt the Sondayes, ſall come to the kirk doore of Edinburgh, when the ſecond bell rings, clad

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in ſackcloath, baireheidit and bairefoottit, and there remaine whill he be brocht into the ſermoun, and placeit in the publick ſpectakill above the peiple in tyme of every ſermon dureing the ſaid two dayes, and in the nixt Sonday therafter ſall compeir in lykemaner, and in the end of the ſermoun ſall declare ſignes of his inward repentance to the peiple, humblie requyreing the kirks forgivenes; whilk done, he ſalbe cled in his awin apparrell, and receivit in the ſociety of the kirk, as ane lyvelie member thereof; and this ſame ordour to be obſervit in Dundie and Jedbrucht, alwayes ſecluding him fra any functioun of the miniſtrie of the kirk, and alſo from participatioun of the table of the Lord Jeſus, unto the 25 of December nixt to come, when the Generall Aſſemblie of the kirk conveines, unto the whilk they ordaine the ſaid Paul to reſort, bringand with him ſufficient teſtimoniall from autentique perſons, of theſe places where he in the meane tyme ſall chance to remaine, reportand his converſatioun and behaviour; at the whilk tyme the kirk ſall take farder ordour what ſall be done anent him.

[Mr John Craig, miniſter of Edinburgh, deſired that John Carnes, who had read prayers and exhorted four ȝeirs and more in Edinburgh, and had weill profited, ſo that he was now able to be admitted to the miniſtrie, might be joyned with him as collegue in the kirk of Edinburgh, in reſpect he was alone: The Aſſemblie ordained the kirk of Edinburgh, with the aſſiſtance of the ſuperintendent of Louthian, to conſider whether he were fit and ſufficient for that place, or ſome other. C.]

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A. D. M.D.LXVI.

THE General Aſſemblie of the Kirk, haldin in Edinburgh, in the Nether Counſell Houſe therof, upon the 25 day of December 1566. In the whilk were preſent the Superintendents, Miniſters, and Comiſſioners of Shyres, Townes, and Kirks. The invocatioun of Gods name made be Mr Johne Craig miniſter of Edinburgh.

In the firſt, for ordour to be obſervit in reaſoning, and that every brother ſpeake to his purpoſe in ſick meaſure as it becomes the miniſter of Gods word to doe, Johne Erſkine of Dun, Superintendent of Angus and Mernes, was continewit moderator, wherof he was content.

[Beſide the triell of the ſuperintendents, James Knox, reader in Bathgate, was cenſured for baptizing of bairns and ſolemnizing of marriage, he being but a ſimple reader, and taking money for the ſame from ſuch as were without the paroche. C.]

Seſſio 2da. 26 December 1566.

Anent the aſſignatioun of the penſioun of money and victualls offerit be the Queens Majeſtie and her moſt honourable counſell, for the ſuſtentatioun of the miniſters within this realme; the haill brethren preſent requyreit the miniſters being in the Seſſioun to paſſe foorth of the Aſſemblie, and with mature deliberatioun to conſult and advyſe with the ſaid conſignatioun, whether they ſall think it good to accept the ſame for releife of ther preſent neceſſitie or not. After lang reaſoning and mutuall conference anent the ſaid aſſignatioun, returneing againe in the Aſſemblie, thought it good for ſupport of the miniſters neceſſitie to accept of the ſaid

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offer of money and victualls, if they might be gottin haſtielie: Nottheles, in conſideratioun of the law of God, ordaines the perſons who heirs the doctrine of ſalvatioun at the mouthes of his miniſters, and thereby receives ſpeciall food to the nouriſhment of ther ſaules, to communicat temporal ſuſtentatioun on ther preachers, there anſuer is, that having juſt title to crave the bodily food at the hands of the forſaids perſones, and finding na others bound unto them, they only requyre at ther awin flocke, that they will ſuſtaine them according to ther bunden duetie; and what it ſall pleaſe them to give them for ther ſuſtentatioun, if it were but bread and watter, neither will they refuſe it, nor deſiſt from their vocatioun; but to take from uthers contrair ther will whom they ſerve not, they judge it not ther duetie, nor ȝet reaſonable; alwayes they moſt heartlie thank the Lords that beſtowit ther labours and pains in purchaſing the forſaid aſſignatioun, moſt heartlie requeiſting ther honours to perſevere whill they bring it ſome perfection.

Nevertheleſſe, the haill Aſſemblie ſolemnlie proteſtit that this acceptation of the foirſaid aſſignatioun for the releife as ſaid is, prejudges not the libertie of the Kirk to ſute for that thing that juſtlie pertaineth to the patrimonie of the ſame, in tyme and place convenient, in any tyme heirafter.

[The Aſſemblie appointed Alexander, biſhop of Galloway, Mr John Spotſwood Superintendent of Louthian, the Lairds of Carden and Keir, to repair to Stirline, and to ſolicite for the extracts of the ſaid aſſignation from the comptroller and clerk-regiſter, that letters may be raiſed thereupon; and that they report their anſwer to the ſeſſion at Edinburgh, that the commiſſioners which are to be appointed for diviſion of the ſaid aſſignation may be advertiſed. The commiſſioners were choſen and appointed to conveen at Edinburgh, within ten days after advertiſement, to divide the ſaid aſſignation of money and victuals among miniſters, exhorters, and readers, according to their diſcretion. C.]

The ſame day were proponit thir queſtiouns underwryten, and anſuers givin therto as followes.

Whither if the teindis properlie pertaines to the kirk, and ſould only be applyit to the miniſters ſuſtentation, to the poore, mantaining of ſchooles, repairing of kirks, and uther godlie uſes at the diſcretioun of the Kirk?

Anſwerit affirmativè without contradictioun.

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Secondlie, if the teindis pertaines to the kirk, and aught to be imployit to ſick godlie uſes as ſaid is, Whither if the miniſters, who are the mouth of the kirk, may with ſafe conſcience keip ſilence, ſeeing the patrimonie of the kirk moſt unjuſtlie tane up and waſtit in vaine things be ſick perſones as beares no office in the kirk of God, and in the meanetyme the miniſtrie ceaſand for neceſſitie, the poore periſhing for hunger, ſchooles decayand, and kirks falland to the ground?

Anſuerit, They ought not to keip ſilence, but earneſtly to admoniſh every man of his duetie, and deſyres all men to ſute for that whilk pertaines juſtlie to the ſuſtaining of the things foirſaids.

Thridlie, Whither if the kirk may juſtlie requyre of all poſſeſſours the teyndis to be payit to the kirk only, and inhibite all uthers to intromitt therwith; and in cace of diſſobedience, what ordour ſall be uſit be the kirk agains them.

Anſuerit, After dew admonitioun uſit, and no obedience found, to uſe the cenſures of the kirk.

Seſſio 3ª 27 December 1566.

Anent Mr Knoxs requeiſt to paſſe to the realme of Ingland to viſite his children, and to doe his other buſineſs, the haill Aſſemblie grantit gladly licence, with letters teſtimonialls of his honeſt converſatioun and godlie doctrine within this realme, with proviſion as is conteinit in the ſaids letters; the tenour wherof followes.

The Superintendents, Miniſters and Commiſſioners of Kirks within the Realme of Scotland preſentlie aſſemblit, To all and ſundrie faithful brethren to whoſe knowledge thir preſents ſall come, wiſcheth grace, mercie and peace from God the Father, and from our Lord Jeſus Chryſt.

Witt 3our Univerſities, that our loving brother Johne Knox, bearer of thir preſents, hes bein and is ane true and faithful miniſter of the Evangell of Jeſus Chryſt within this realme of Scotland, continually within thir viij 3eirs by gane or therabout; in doctrine pure, and ſincere in lyfe and

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converſation, in our ſights inculpable, and hes ſo fruitfully uſit that talent grantit to him be the Eternal, to the advancement of the glorie of his godlie name, to the propagation of the kingdom of Jeſus Chryſt, and edifieing of them who heard his preaching, that of duetie we moſt heartilie praiſe his godlie Majeſtie, for that ſo great ane benefite grantit unto him for our utilitie and profite. And becauſe he, for the naturall love and affectioun he beares to his childrein, now being within the realme of Ingland, and favour to uthers his brethren, requeſted us to grant him licence for ane ſeaſon, to repaire toward the ſaid realme of Ingland, for the cauſes above mentionat, We, after mutual conference in full Aſſemblie, thoght this petitioun juſt and reaſonable, and therfor all in ane voyce grants licence to our ſaid brother, according to the Queens Majeſties conduct, to paſſe to the ſaid realme, for the purpoſes foirſpoken and uthers his lawfull affaires, what time he ſall think moſt comodious for his journey; provydeing allwayes that he returne to this realme of Scotland before the 25 of the moneth of Junij nixt inſewing, to continue in his former vocatioun, and na utherwayes. And this we make knowin to all and ſundrie to whom it effeirs, be thir our Letters Teſtimonialls, givin at Edinburgh in our General Aſſemblie, and thrid Seſſion therof, ſubſcryvit be the Clerk of the ſame, the xxvii of December.

Attour ordainit ane letter to be directit to the Biſchops of Ingland, that they wald be content gentlie to handle the brethren preachers, touching the habits ſurp-cloathes and uthers abulgements, whilk appeirantlie tends more to ſuperſtition nor to edificatioun; and requeiſts Maſter Knox to put the heads in write whilk he thinks neceſſar to be wryten to the ſaids Biſchops. The tenour whereof followes.

The Superintendents, Miniſters, and Comiſſioners of Kirks within the realme of Scotland, to there brethren the Biſchops and paſtours of Ingland, who hes renunced the Romane Antichryſt, and does profeſſe with them the Lord Jeſus in ſinceritie, deſyres the perpetuall increaſe of the Holie Spirit.

By word and write it is come to our knowleage, Reverend Paſtors, that diverſe of our deireſt brethren, among whom are ſome of the beſt learnit

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within that realme, are depryvit fra eccleſiaſtical functioun, and forbidden to preach, and ſo by 3ou are ſtayed to promote the kingdome of Chryſt, becauſe ther conſcience will not ſuffer them to take upon them, at the comandment of the authoritie, ſick garments as idolaters in the tyme of blindnes have uſit in the tyme of idolatrie; whilk brute cannot be but moſt dolorous to our hearts, myndfull of that ſentence of the Apoſtle, ſaying, If 3e byte and devore ane another, take good heid leaſt 3e be conſumit ane of another.

We purpoſe not at this preſent to enter upon the ground whilk we heare of either partie to be aggriet with greater vehemence then well lykes us; to witt, whither ſick apparrell be to be countit amongs things that is ſimple and indifferent, or not. Bot in the bowells of Chryſt Jeſus we crave, that chriſtian charitie may ſo farre prevail in 3ou, in 3ou we ſay the Paſtors and Leaders of the flocke in that realme, that 3e doe not to uthers that whilk 3e would uthers did not to 3ou; 3e cannot be ignorant how tender a thing the conſcience of man is; all that have knowledge are not alyke perſwadit, 3et conſcience reclaimes not at the wearing of ſick garments; bot many thouſands both godly and learned are utherwayes perſwadit, whoſe conſciences are continually ſtriken with thir ſentences; Whatt hes Chryſt Jeſus to doe with Belial? Whatt hes darknes adoe with light? If ſurp-claithes, cornett cap and tippet, has bein badges of idolaters in the verie act of ther idolatrie, what hes the preacher of Chriſtian libertie and the oppin rebuiker of all ſuperſtitioun to doe with the dregges of that Romiſh beaſt; 3ea what is he that ought not to feare either to take in his hand or foirheid, the print and marke of that odious beaſt? Our brethren that in conſcience refuſes that unprofitable apparrell, does neither damne nor moleſt 3ou that uſe ſick vaine triſles: If 3e ſall doe the lyke to them, we doubt not but therein 3e ſall pleaſe God, and comfort the hearts of many whilk are woundit with the extremitie that is uſit againſt theſe godlie and our belovit brethren. Colour of rhetorick or manly perſwaſion will we uſe none, bot charitablie we deſyre 3ou to call that ſentence of Peter to mynd, Feed the flocke of God whilk is committed to 3our charge, careing for it not be conſtraint bot willinglie, not as thogh 3e were Lords over Gods heritage, but that 3e may be enſamples to the flocke. And farther, alſo, we deſyre you to meditate that ſentence of the Apoſtle, ſaying, Give none offence neither to the Jewes, nor to the Grecians, nor to the Kirk of God. In what conditioun of tyme 3e and we both travell in

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the promoting of Chryſts kingdome, we ſuppoſe 3ou not to be ignorant, and therfor we are more bold to exhort 3ou to walke more circumſpectly, then that for ſick vanities the godly ſould be troubled; for all things that may ſeime lawfull edifie not. If the comandment of the authoritie urge the conſcience of 3ou and of our brethren farther than they can beare, we unfainedly crave of 3ou, that 3e remember 3e are callit the light of the world, and the ſalt of the earth. All civill auctoritie hes not the light of God alwayes ſhyning befor the eyis in there ſtatutes and comandments; bot there affectiouns favour over meikle of the earth and of worldlie wiſdom, and therfore we thinke 3e ſould boldly oppone 3ourſelves to all that power that will or darre extoll itſelf, not only agains God, but alſo agains all ſick as darre burdein the conſciences of the faithful, farther then God hes burdeinit them be his awin word. Bot heirin we may confeſſe our offence, in that we have entrit farther in reaſoning then we purpoſed and promiſed at the beginning; and therfor we ſhortlie returne to our former humble ſupplicatioun, whilk is, that our brethren who among 3ou refuſe the Romiſh ragges, may find of 3ou, the Prelates, ſick favour as our Heid and Maſter comands eyery ane of his members to ſhaw to another; whilk we looke to receive of 3our gentlenes, not only for that 3e feare to offend Gods Majeſtie, in troubling of 3our brethren for ſick vaine trifles, but alſo becauſe 3e will not refuſe the humble requeiſt of us, 3our brethren and fellow preachers, in whom albeit there appeir not great worldlie pompe, 3et we ſuppoſe that 3e will not ſo farre deſpyſe us, bot that 3e will eſteime us to be of the number of them that fights agains that Roman Antichryſt, and travell that the kingdom of Jeſus Chryſt may be univerſallie advanceit. The days are ill; iniquitie abounds; chriſtian charity alas is waxen cold; and therfor we ought the more diligentlie to watch, for the houre is uncertaine when the Lord Jeſus ſall appeir, befor whom 3e, your brethren, and we, muſt give acount of our adminiſtratioun. And this in concluſion, we anes againe crave favours to our brethren, whilk grantit, 3e in the Lord ſall command us things of double more importance. The Lord Jeſus rule 3our hearts in true feare to the end, and give to 3ou and us victorie over that conjured enemie of all true religioun, to witt over that Roman antichryſt, whoſe woundit head Satan preaſes by all means to cure againe. Bot to deſtructioun ſall he and his mantainers goe, by the power of the Lord Jeſus: To whoſe mightie protectioun we heartlie comit 3ou.

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From Edinburgh, out of our Generall Aſſemblie, and 3 ſeſſioun therof, the 27 of December 1566.

Your loving brethren and preachers in Chryſt Jeſus,

[JOHNE CRAIG. JOHN ROW.
JAMES MELVILL. DAVID LINDSAY.
ROBERT PONT. JOHN ARESKINE.
WILLIAM CHRISTESON. JOHN WINRHAME.
NICOL SPITTLE. JOHN SPOTSWOOD. C.]

Ordaines ane humble ſupplicatioun to be made to the Lords of Secreit Counſell, anent the comiſſion of juriſdictioun ſupponit grantit to the Biſchop of St Androes, to the effect that ther honours ſtay the ſame, in reſpect that theſe cauſes for the maiſt pairt judgeit be his uſurpit authoritie pertaines to the true kirk; and howbeit that for hope of good things the Kirk overſaw the Queens Majeſties comiſſioun givin therintill to ſick men, who for the moſt part was our brethren, ȝet can the Kirk no wayes be content that the Biſchop of St Androes, ane comoun enemy to Chryſt, to uſe that juriſdictioun; and als in reſpect of that colourit comiſſioun, he might uſurpe againe his auld uſurpit auctoritie, and the ſamein might be the meane to oppreſſe the haill kirk be his corrupt judgement.

The tenour of the ſaid ſupplicatioun followes.

The Generall Aſſemblie of the Kirk of Scotland conveinit at Edinburgh the xxv of December 1566, To the nobilitie of this realme that profeſſes the Lord Jeſus with them, and hes renounceit that Roman antichryſt, deſyre conſtancie in faith and the ſpirit of righteous judgement.

Seing that Satan, be all our negligence, Right Honourable, hes ſo farre prevailit within this realme within theſe late dayes that we do ſtand in extreame danger, not only to loſe our temporal poſſeſſiouns, but alſo to be depryvit of the glorious evangell of Jeſus Chryſt, and ſoe we and our poſteritie to be left in damnable darknes; We could no longer contane ourſelves, nor keep ſilence, leaſt in ſo doing we might be accuſeit as guiltie of the blood of ſick as ſall periſh for lake of admoniſhment, as the Prophet threatens. We therfor in the feare of our God, and with greiſe and anguiſh of heart, complaines unto ȝour honours, ȝea we muſt complaine unto God,

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and all his obedient creatures, that that conjured enemie of Jeſus Chryſt, and cruell murtherer of our brethren moſt falſlie ſtylit Archbiſchop of St Androes, is reponit and reſtoreit, be ſignatur paſt, to his former tiranie; for not only are his ancient juriſdictiouns (as they are termit) of the haill biſchoprick of St Androes grantit unto him, but alſo the executioun of judgement, confirmation of teſtaments, and donation of his benefices, as more amplie in his ſignatur is expreſt. If this be not to cure the head of that venemous beaſt, whilk once within this realme, be the potent hand of God, was ſo baniſhed and brockin downe, and be curing it wold not hurt the faithfull, judge ȝe. His ancient juriſdictioun was, that he with certaine his collegues collaterals, might have dampnit of hereſie as it pleaſit him, and then to take all that were ſuſpect of hereſie. What they have judged to be hereſie heirtofoir ȝe cannot be ignorant; and whither they remaine in ther former malice or not, ther plots and travells oppinly declares. The danger may be fearit, ſay ȝe, but quhat remedy? It is eaſie and at hand, Right Honorable, if ȝe will not betray the cauſe of God and leave ȝour brethren, whilks never will be more ſubiect unto that uſurped tyrranie then they will unto the devil himſelfe. Our Queine belyke is not well informit; ſcho aucht not, nor may not juſtly break the lawes; and ſo conſequentlie, ſcho may not ſett up againſt us, nor without our conſent, that Romane Antichryſt againe: For in ane lawfull and moſt frie parliament that ever was in this realme before, was that odious beaſt depryvit of juriſdictioun, office and auctoritie within this realme. Her Majeſtie at her firſt arrivall, and be diverſe her proclamatiouns ſenſyne hes expreſſly forbiddin all other forme and fact of religioun, but that whilk ſcho fand publicklie eſtabliſhed at her arriveal; therfor ſcho may not bring us, the greateſt part of the ſubjects of this realme, back again to bondage, till that als lawfull and als frie ane Parliament as juſtlie damned that Antichryſt and his uſurped tyranie, have given deciſioun betwixt us and him. Heirof and of uther things that no leſſe concernes ȝour ſelves then us, ȝe plainly and boldly admoniſh our ſoveraigne, and without tumult only crave juſtice. The tyrants darre no more be ſein in lawfull judgment nor darre the howlets in the day light. Weigh this matter as it is, and ȝe ſall find it more weighty then to many it appears. Farther at this prefent we complain not, bot humblie craves of ȝour Honours ane reaſonable anſuer quhat ȝe will do, incase that ſick tyrrants, and invadeing wolves, be givin to devore the flocke of Jeſus Chryſt within this realme, under quhat title that ever it be; for this we boldly confeſſe, that we will never acknow-

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ledge, neither paſtors to our ſouls, nor ȝet judges to our cauſe. And if that, for denyall therof, we either ſuffer either in bodie or goods, we doubt not but we have not only a judge to puniſch them that unjuſtlie trouble us, but alſo ane advocat and ſtrong champioun in heavin, to recompence them who for his nameſake ſuffer perſecutioun: Whoſe holie ſpirit rule ȝour hearts in his true feare to the end. Your Lordſhips anſuer we againe crave. Givin in the Generall Aſſemblie and thrid Seſſioun therof, at Edinburgh the 27 of December, 1566.

[The Aſſemblie appointed the biſhops of Galloway and Orkney, the Juſtice-Clerk, and David Forreſt, Mr John Row, David Lindſay, Robert Pont, William Chriſteſon, to reconſider and reviſe the anſwer made be Mr William Ramſay, one of the maſters of Sanct Salvators colledge, to Henrie Bullingers book anent abulȝiements of preachers in England.

The Aſſemblie being adviſed with the interpretation of the Confeſſion of the kirk of Zurich, be Mr Robert Pont, ordained the ſame to be printed, togither with ane epiſtle ſent be the Aſſemblie of the Kirk of Scotland, approving the ſame, providing a note be put in the margin, where mention is made of the remembrance of ſome holy days.

This confeſſion was penned be the paſtors of Zurich, and is otherwiſe called the latter Confeſſion of Helvetia: It is allowed and ſubſcribed, not only be the Tigurins themſelves and their confederates of Berne, be Schaphauſen, Sangallia, Rhetia, Millan, and Viemid, but alſo Geneva, Savoy, Polonia, and Hungaria. In this confeſſion, ſuperioritie of miniſters above miniſters is called ane humane appointment; confirmation is judged to be a device of man, which the kirk may want without damnage; baptiſm by women or midewives condemned: Item, prolix and tedious publict prayers hindering the preaching of the word; canonical Hours, that is, prayers to be chanted and often repeated at ſett times, as the popiſh manner is; heaping up of ceremonies in the kirk, to the prejudice of Chriſtian libertie; obſervation of ſaints days: But this Aſſemblie would not allow the days dedicat to Chriſt, the circumciſion, nativitie, paſſion, reſurrection, aſcenſion and pentecoſt days, but took exception againſt that part of the Confeſſion.

The biſchops of Galloway and Orknay, the Juſtice Clerk, Mr Robert Pont, David Lindſay, William Criſteſon of Dundie, George Leſley of Stramigloe, William Ramſay and David Forreſt were appointed to receive and decide queſtiouns, and report their deciſions. C.]

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Queſtiouns and ther Anſuers.

Ane certaine maried man paſt to the wares of Denmark about four ȝeirs ſyne; his wyfe hes joynit her ſelfe within this twa ȝeir to ane uther man in whooredome; now they deſyre to be maried, becauſe they have the atteſtatioun of twa unſuſpectit witneſſes, wha ſpake with Captaine Clark that her huſband was ſlaine in the Caſtell of Barronburgh in Denmark, upon Paſch day bygane ane ȝeir. Queritur, Whither if the parties may be joynit in lawfull mariage or not?

Ordaines the names of the man and woman to be givin up to the ſeſſioun of the kirk wher they dwell, to be accuſit criminallie for ther offences, givin in tyme of her huſbands lyfe, or befor the knowledge of his death, ſcho joynit her bodie to the uther man, that they both may be puniſchit accordinglie.

Ane man forwarnit that he might not marie his father brothers daughter, paſt in contempt of the kirk, and was maried in the Chappell Royall December 1566. Queritur, What ordour ſalbe tane therwith?

Ordaines, To delate the proces to the Juſtice Clerk and kirk, and declare ther names to the effect they may be puniſhit.

And farther, becauſe diverſe perſons, alſweill women as men, who are ſeparate for adultery, the partie offendand joynes themſelves in mariage againe, contrair to the law of God, wherthrow great ſlanders and inconveinients followes.

Ordaines the ſuperintendents to admoniſch all miniſters within ther juriſdictiouns, that none joyne any partie ſeparatit for adulterie in mariage, under paine of removeing from the miniſtrie.

[It was aſked, What order ſhould be taken with ſuch as have communicated at the Lords table, and afterwards became witneſſes at the baptiſm of children baptized by a papiſtical prieſt in a private place? It was anſwered, After admonition, let the cenſures of the kirk be uſed. C.]

Seſſ. 4ta 28 Dec. 1566.

Anent biſchops, abbots, pryors, and uthers perſons benefices being of the kirk, who receives teinds and awaites not upon the feiding of the flocke comittit to ther cure, neither preſents themſelves to the General Aſſemblie.

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Ordains all ſuperintendents to ſumound and warne all biſchops, abbots, &c. that receives teyndis within ther juriſdictiouns, and wher no ſuperintendents are, that the ſuperintendent neireſt ſend his lettres to the miniſters nixt adjacent therto, to ſumound the foirſaids perſons to compeir at the nixt Generall Aſſemblie, to give ther aſſiſtance and counſell to the ſaid Aſſemblie in ſick things as appertaines to Chriſtian religion and preaching of the true word, and farther to know the ordinances of the kirk to be made theranent, &c.

[The ſuperintendent of Angus deſired to be exonered of his burdenſome calling, in reſpect of the weakneſs and debilitie of his bodie, wherby he was unable to execute that charge as was required; but the Aſſemblie wold not altogether exoner him, but permitted him to appoint ſome of the beſt qualified within his bounds, to viſit when he found himſelf unable. C.]

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A. D. M.D.LXVII.

THE Generall Aſſemblie of the Kirk conveinit at Edinburgh, in the Nether Tolbuith therof, the 25 day of Junij 1567. In the quhilk were preſent the Erles, Lords, Barrons, Superintendents, Miniſters, and Comiſſioners of Townes. The invocatioun of the name of God was made be Mr John Craig, Miniſter of Edinburgh.

Seſſ. 1a 25 Junij 1567.

For eſchewing of confuſioun in reaſoning, the whole Aſſemblie preſent conveinit nameit Mr George Buchanan, principall of St Leonards Colledge, moderator dureing this conventioun, who accepted the charge hac vice.

The kirk appointit the Lairds of Dun and Bargany to paſſe to the Lords of Secreit Counſell, and to requeiſt ther Lordſhips to conveine and concurre with the kirk preſentlie aſſemblit, for heiring of ſick articles as ſalbe thoght good for the eſtabliſhing of Gods word, the true religioun, and ſupporting of the miniſtrie within this realme.

[Some were appointed to decide queſtions which were to be proponed, and to reviſe the order of excommunication penned be Mr Knox, and to report their judgement to the Aſſemblie. C.]

Seſſ. 2a 26 Junij 1567.

Forſameikle as it is thoght good be all the brethren preſentlie conveinit, that ane Aſſemblie Generall be appointit to conveine againe the 20 day of July nixt to come, in this towne of Edinburgh, for the ſetting fordward ſick things as ſall at that tyme be proponit; and for that purpoſe ordaines to wryte miſſives to all and ſundrie erles, lords, barrons, and uthers brethren, requyreing them to conveine the ſaid xx day of Julij, and to that effect appointit alſo comiſſioners to preſent the ſaid miſſives, and requyre according to ther commiſſiouns.

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Tenour of the ſaids lettres miſſive, ſent to the ſaids erles, lords, barrons, comendators of abbayes, followeth:

My Lord, (or Worſhipful Sir,) after our maiſt heartlie commendatioun of ſervice in the Lord Jeſus: Having now of lang time travellit both in public and private with all the Eſtates, continually craveing of your Honours in ſpecial, that the courſe of the Evangell of Salvation, now once of the liberal mercie of God reſtorit to this realme, might continue to all 3our comforts, and 3our poſteritie; and that for the mainteinance and furthering thereof, ane perfyte policie and full libertie might be grantit to this reformit Kirk within Scotland, the miniſtrie, the pure and failȝeit provydit for ſufficiently, as God and all good police and civil lawes ordaines and requyres; and that all ſuperſtition and idolatry, and the monuments therof, might be utterly removit and baniſhit out of this realme, quhilk God of his infinite mercy hes ſo lovingly and willingly callit from darkneſs to light. This matter indeed was lyked of all men; but ſick impediment gave the enemie of the Kirk in his members to ſtay the good worke of God, that moyen could there none be had, but be the contrair, at every light occaſion, the miniſtrie fruſtrat of all lyfe and ſuſtentatioun; the lamit and impotent members of Chryſt lying in the ſtreet as dung, periſhing for hunger and cold, ȝea and the whole flock of Jeſus Chryſt within this realme continuallie threatnit with the execution of that moſt cruell decreit of the laſt counſell of Trent, wherin was determinit and decreeit to make ane ſacrifice of the whole profeſſors within all Europe, be the tyrany of that Roman Antichryſt. We are not ignorant how farre the ſamein was attemptit be way of deid within the realme of France, how farre now in Flanders and the parts neir adjacent therto; and alſo quhat practiſing to that effect hes bein continually thir thrie ȝeirs by paſt, and even now of late dayes, within our awin bowells, be our commoun conſpired enemies, alſweill within as without this realme, how they were bent to ther enterprize, if God had not of his meere mercie preveined beyond all our knowledge and expectatioun, ther cruel and craftie practiſes. Upon the quhilk conſideratioun, the Aſſemblie at this preſent convention of the Kirk, accuſtomit at the courſe of tyme occureand, hes thoght it needfull to repaire the decay and ruine of that Kirk ſo vertueouſly begun amongſt us be ane univerſall concurrence and conſent of the haill profeſſours of Chryſt Jeſus within this realme, and be the ſame meanes to meet the forſaid dangers hingand over our heids, pro-

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ceiding from the craft of our implacabill enemies, alſweill within as without the ſame; and to that effect hes ordainit ane Generall Aſſemblie of the haill profeſſors of all eſtates and degries within the kirks of Scotland, to be haldin heir within this towne of Edinburgh, upon the xx day of this nixt moneth of Julij, quherby ane perpetuall ordour may be takin for the libertie of the Kirk of God, ſuſtentatioun of the miniſters and failzeit members therof, and that ane ſure union and conjunctioun may be had amongſt the haill members for the libertie of Gods Kirk, quherby we may be able to withſtand the rage and violence of the forſaids enemies. And becauſe it hes pleaſed the goodnes of God ſo to move zour Lordſhips heart, that ze are a notable inſtrument and member of his Kirk, as our hope is, ſo ſall our prayer be, that ze may continue increaſing from vertue to vertue unto life everlaſting, we thoght it our duetie, in name of our haill brethren heir conveinit, to notifie to zour Lordſhip the foirſaid appointment of the ſaid Aſſemblie, and in the name of the Eternal our God, to recomend to zour care and ſolicitude the building of this ruinous houſe of God within this realme: Requyreing alſo in his name, that ze will give zour perſonal preſence, zour labours and concurrencis to that effect, as in the forſaid Aſſemblie to be haldin the ſaid day, that the haill body may be comforted be the preſence and good advyce of ſo notour ane member therof. And becauſe we doubt nothing but zour Lordſhip ſalbe preſent, ſhewing ſo long experience of zour good part in all tymes paſt, we ceaſe to trouble zou with longer letter, referring the reſt to be declarit be our brethren the comiſſioners of the Kirk, who to this effect are direct to zour Lordſhip, and uthers our brethren in theſe partis; and we for our part, with earneſt prayer to God, ſall pray to augment in zou his love and feare, and bleſſe zour Lordſhip to the comfort of his Kirk, Amen. From Edinburgh, the 26 of Junij 1567.

We zour Lordſhips to command with ſervice in Chryſt Jeſus, in name of the reſt of our brethren,

John Knox.	John Erskine of Dun.
John Row.	John Spotiswood.
John Craig.	John Dowglas.

The names of the perſons to whom this letter was directit, are the Erles Huntlie, Argyle, Caſſills, Rothes, Crawfurd, Menteith and Glencarne,

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Lords Boyd, Drummound, Sanchar, Herreis, Cathcart, Yeſter, Mr. of Grahame, Fleming, Levingſtoun, Forbes, Salton, Glames, Ogilvie, Mr. of Sinclair, Gray, Oliphant, Methven, Inermeath, Mr. of Somervell, Barrons, Lochinvar, Gairles, Sherriff of Air, Glenurquhair, Sir James Hamiltoun, Bonytoun, Comendators, Arbroith, Kilwinning, Dumfermeling, St. Colmes, Newbottle, Halyruidhouſe.

The Superintendents and Quarters of countreyes were ordained to direct this letter to the foirſaids perſons ſeverallie.

Tennour of the Commiſſiouns givin to every ane of the foirſaids Commiſſioners, within every ane of ther bounds reſpective, followes:

Forſameikle as Satan this long tyme in his members hes ſo rageit and perturbit the good ſucceſſe and proceeding of Chryſts religioun within this realme, be craftie meanes and ſubtill conſpiracies, that the ſame from tyme to tyme doeth decay, in hazard altogether to be ſubvertit, unleſſe God of his mercie find haſtie remeid, and that cheiflie through the extreame povertie of the miniſters who ſould preach the word of lyſe to the peiple, who therthrow are compellit, ſome to leave the vocatioun alluterlie, and ſome uthers ſo abſtractit be carefull povertie, that they may not inſiſt ſo diligently in the exerciſe of the word as they wold doe; and therfor the kirk preſentlie conveinit at Edinburgh in this Generall Aſſemblie, hes thoght it moſt neceſſar be thir preſents to requeiſt and admoniſch moſt brotherlie all ſick perſons as truely profeſſes the Lord Jeſus within this realme, of what eſtate or degrie thatevir they be, aſweill the nobilitie, barrones and gentlemen, as all uthers true profeſſours, to conveine in Edinburgh the 20 day of Julij nixt, in ther perſonall preſence, ther to aſſiſt with the counſell and power, for ordour to be tane aſweill toward the eſtabliſhing of Chryſts religioun univerſallie throughout this haill realme, and aboliſhing of the contrair, whilk is papiſtrie, as the ſuſtentation of the miniſters, not only for the preſent tyme and inſtant neceſſitie, but alſo for ane perfyte ordour to be tane and eſtabliſhed in all tyme comeing, toward the haill libertie of the patrimonie of the kirk, and the due reſtoring of the ſame to the juſt profeſſours therof, according to the word of God: With certification to all and ſundrie, of what eſtate and degrie ſo evir they be that compeirs not, due advertiſement being made, that they ſalbe repute

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heirafter as hinderers of this godlie purpoſe, and as diſſimulat brethren, unworthie to be eſteimit heirafter of Chryſts flocke, ſeing God of his mercie at this preſent hes offerit ſome better occaſioun nor in tymes bygane, and hes begun to tred downe Satan underfoote. And for the dew requiſitioun and admonitioun, in name of the eternall God, to the effect foirſaid, to all and ſundrie the brethren, alſweill to brugh as to land, the kirk preſentlie conveinit in this Generall Aſſemblie, be thir preſents gives ther full power and commiſſioun to ther lovites N. and N. for the bounds of N. In verificatioun heirof thir preſents are ſubſcryvit be the comoun clerk of the kirk, in the ſaid Generall Aſſemblie, and 2 Seſſ. therof, haldin at Edinburgh, the 26th day of Junii 1567.

Seſſ. 3a. 27 Junij 1567.

[Mr John Row, miniſter of Sanct Johnſtone, was ordained to attend upon the printing of the commiſſion direct be the Kirk, for preſenting of the forſaids miſſives, and to bring ſo many as ſhall be neceſſarie to be ſent, to be ſubſcrived be the clerk of the Aſſemblie, and the names of the commiſſioners to be inſert accordingly. And in like manner ordained Mr John Wood to cauſe write ſo many miſſives as ſhall be needfull, to be ſent to the earles, lords, and barrons, and other brethren, and to return the ſaid miſſives to be ſubſcrived and directed.

Mr John Davidſone and Mr David Wemes, miniſters of Hammiltoun and Glaſgow, were ordained to paſs to Lanerk, and there to conveen the balzies and counſellours of the ſaid town, and to require them to aſſiſt John Leverance miniſter, and to puniſh manifeſt offences, maintain Chriſtian religion within that town, and to ſupport the ſaid miniſter with things neceſſary for his ſuſtentation; and if they deny to doe the ſaid premiſſes, then the forſaid miniſters to give to the ſaid John Leverance their teſtimoniall of ſimple demiſſion from the ſaid kirk of Lanerk, and libertie to be placed wherſoever it ſhall pleaſe God to call him.

Mr John Row, Mr John Douglaſs rector, Mr John Craig, William Chriſteſon miniſter at Dundie, Mr Robert Hamiltoun miniſter at Irving, Mr Robert Hamiltoun miniſter at Sanct Andrews, Mr James Melvill miniſter at Tannades, appointed in the firſt ſeſſion to decide queſtions, report their deciſions at this ſeſſion. C.]

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Queſtions and ther Anſuers.

Ane man being accuſeit of notorious fornication, promiſeit faithfullie to the miniſter for the tyme to abſtaine in all tymes comeing from all ſocietie of that woman, and in cace he chancit to have any deale with her heirafter, he ſould marie her; therafter he medlit with the ſame woman. Queritur, Quhether this man may be compellit to keip the foirſaid promiſe of mariage or not?

The kirk dicernes all ſick promiſes to be of none effect, and that none be compellit to marie upon ſick promiſes; and ordaines this offender to be puniſhed for his offence.

Quhether if it be lawfull to marie her quhom he befor, in his wyfes tyme, had pollutit with adulterie, his wyfe now being dead. The kirk will not grant that thing to be lawfull quhilk Gods law damnes, neither yet admitt any ſick mariages, for cauſes conteinit in the law.

Ane man being divorceit for adulterie, queritur, Quhether he may marie again lawfullie or not? The kirk will not reſolve heirin ſchortlie, bot preſentlie inhibites all miniſters to meddle with any ſick mariages, quhill full deciſion of the queſtion.

Seſſ. 4ta. 28 Junij 1567.

Anent ane complaint given in be the brethren of the kirk of Machlen, that quher they had, be the juſt law of God, pronouncit the ſentence of excommunication againſt Johne Spottiſwood of Foullar, ſome tymes ane elder of the ſaid kirk, for the horrible cryme of adulterie committed be him: Nottheles, Sir William Hamilton of Sanquhar knight, now an elder of the ſaid kirk, plainly mantaineth the ſaid John in his houſe, notwithſtand- and the ſaid John is excommunicat, to the greater ſlander and offence of God and his law. And albeit the ſaid Sir William hes bein diverſe tymes admoniſhed to withdraw his familiar companie fra the ſaid John, zet will not abſtract the ſame, to the offence of many; requyreing the kirk preſentlie aſſemblit to take ordour heirin according to the wiſdome of the brethren preſent, that farther ſlander ryſe not therthrow.

The kirk ordaines ane letter to be ſent to the ſaid Sir William, requyreing him to remove the ſaid John Spotiſwood out of his companie, and the

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ſame to be ſubſcryved be the ſcrybe of the Aſſemblie; the tenour wherof followeth.

Right Worſhipfull, &c. Forſameikle as we are informit be the miniſter and ane part of the elders of the kirk of Machleine, that ane called John Spotiſwood, ſometyme ane elder of the ſaid kirk, for the adulteries committed be him in the tyme he was ane elder, and the ſame beeand ſufficientlie provin, hes bein and is excommunicat: Nottheles ȝe now being ane elder of the ſaid kirk, contrair to ȝour charge and vocation, mantaines and keips in ȝour companie the ſaid Johne, notwithſtanding diverſe admonitions made to ȝow to put him therfra, to the great contempt of Gods ordinance, and ſlander of the kirk of Jeſus Chryſt; quhilk we lookit not for at ȝour hands, being placeit in ſo honorable ane rowme within his kirk. Heirfor this is moſt heartlie to requyre ȝow, in the name of the eternall God, and as ȝe look to reigne with his Sonne Jeſus Chryſt for evir, to remove from you all manner of ſlander, and be not partaker of uther mens ſins, bot remove from ȝour ſocietie that wicked perſon, who being abhorreit be the faithfull, may be Gods grace repent his impietie, and returne to that companie of the faithfull, fra the whilk be his haynous offence he hes ſo horriblie fallin; in the quhilk doing ȝe ſall not onlie pleaſe God, but alſo have praiſe of us ȝour brethren: Utherwayes we may not with ſafe conſcience ſuffer ſick mantaining of manifeſt wickedneſs, but muſt oppone ourſelves therunto, and uſe the cenſures of the kirk alſweill againſt the mantainer as the committer of manifeſt crymes. Thus wiſhing unto ȝou the ſpirit of righteous judgement, comitts ȝou to the protectioun of the Omnipotent. From Edinburgh, out of our Generall Aſſemblie, and 4th Seſſioun thereof, the 28 of Junij 1567.

The haill kirk thoght good that ane publick faſt ſould be proclaimed in the towne of Edinburgh only, to begin on Sonday the 13 of Julij nixt, and on Sonday the 20 of the ſame. And ſo was the Aſſemblie diſſolvit, and appointit the 20 day of Julij nixt to come into the towne of Edinburgh.

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A. D. M.D.LXVII.

THE Generall Aſſemblie of the Kirk of Scotland, conveinit at Edinburgh, in the Over Tolbuith of the ſame, the 21 of July 1567. In the quhilk were aſſemblit Erles, Lords, Barrons, whoſe names are wryten after the articles be them ſubſcryvit, with the Superintendents, Miniſters, and Commiſſioners of townes. Thanks was givin to God be Mr John Craig Miniſter of Edinburgh.

[Mr John Row Miniſter at St Johnſton, was choſen Moderator.

It was ordained, That the brethren of every ſhire ſhould chuſe ſome out of their number, and the miniſters likewiſe chuſe ſo many from among themſelves, to reaſon and confer upon the affairs of the Kirk, and to form articles in writ, and preſent the ſame to the Aſſemblie, to be conſidered. C.]

Seſſ. 2da. 22 Julij 1567.

[The Commiſſioners appointit to deliver their miſſives to the Earles, Lords, Barrons, and other brethren nominat, exhibited their Rolls. The Earle of Argile his letter, excuſing his abſence, alledged, that the brethren already aſſembled in Edinburgh were in armes, and ſo far as he underſtood, the reſt were to come likewiſe in the ſame manner, and he not being privie to ther proceedings, nor having zet joined himſelf to them, therfor he could not at this time be preſent: In the mean time deſireth, that no innovations be attempted till the meeting of the other brethren; ſo much the rather, becauſe their adverſaries would not allow of their doings; promiſeth in the mean time to continue in the maintainance of true religion.

The Commendator of Arbroth alledged the like reaſons for his abſence. C.]

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Tenour of the Lettres of Excuſation of the Erle of Argyle, of his abſence fra this Aſſemblie, followeth:

After our moſt heartlie commendatiouns; we have receavit 3our wrytings, underſtandand be the ſame 3our earneſt travells and godlie 3eale in erecting of this our Kirk within Scotland, according to our dewties and 3our Aſſemblie to this effect, quherunto 3e have deſyreit us; 3et ſomething having in admiratioun, that 3e ſould have aſſignit 3our Aſſemblie, quherunto 3e deſyre the principall members of the haill Kirk, without their awin advyſe and univerſall conſent, having concurrit with them of befor, alſweil anent the places of Aſſemblie, as in matters to be treated in the ſame; be reaſon the brethren els aſſemblit in Edinburgh ar in armes, and as we underſtand the reſt that are to come ther comes in the lyke manner, quhilk is farre by the uſe and accuſtomit manner and faſhion that we have ſein of befor; and as it is not unknowin unto 3ou quhat varietie is preſentlie in this realme, 3et not doubting their intents and mynds to be only directit as 3e have aſoir ſhawin; nottheles, becauſe our brethren els aſſemblit in Edinburgh are in armes accompanied with men of warre, we not being participant with ther proceiding, neither 3et hes adjoynit ourſelves therintill, cannot at this tyme be preſent in the places appointit, according to 3our deſyre; 3et aſſuring 3ou, lykeas in tymes paſt we have not only beſtowed our goods in the mantainance of Gods cauſe, but alſo hes hazard our life and freinds in the ſame fute, we mynd ſtill to continue; and ſen the impediment of our conveining, albeit willing to all godlie proceidings, is for the cauſes after ſpecifiet, in the mean time we will earneſtlie requeiſt 3ou, that no innovatiouns or alteratiouns be made or attempted quhill our meeting, quhilk we truſt to God ſalbe ſhortlie; ſo that nane of our brethren, nor we in abſence, have occaſion to miſlyke any of 3our proceidings, becauſe ſick grave matters requyres ane comoun conſent, alſweill in ther approving, as that they may be the better borne out; for 3our awin wiſdomes, we doubt not, will conſider the factiouns of our adverſares, that they will never allow our doings; and therfor it is more than neceſſar there be no diverſitie of mynds amangſt ourſelves; 3ea we will find all matters frame the better if we be all preſent when they are concludit. So not willing to impeaſche 3ou with farder lettre, hes committed farther of our mynd to this bearer, 3our ſervitour, to whom pleaſe give credit: And ſwa comitts 3ou to God. Of But, the 28 day of Julij 1567. Yours, aſſurit in the Lord,

Ar. Argyll.

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The tenour of the commendators of Arbroth, Killwinning, and my Lord Boyds excuſatioun, aggrieing in all points as followes.

After moſt heartlie comendatiounes in the Lord Jeſus; we have receivit 3our wryteing daittit at Edinburgh the 26 day of Junij, ſhawand in effect, albeit God of his goodnes hes ſend the light of the evangell of ſalvation within this realme to the great confort and proſperitie of all the faithfull within this realme and ther poſteritie; 3et nevertheles Satan with his miniſters, at every light occaſioun, hath fruſtrat in tymes by paſt the miniſters of ther life and ſuſtentatioun, the lame and impotent members of Chryſt aſweill fruſtrate of ther livings, dieing in the ſtreits for hunger and cold, and the haill flock of Chryſt Jeſus within this realme continuallie threatened to be made ſacrifice of, be the practiſe of the enemies, as 3our wryting conteinis at lenth; for in meiting of the quhilk, and provideing of remeid therto, 3e deſyre us to be in Edinburgh the 20 day of this inſtant, at the Aſſembly of the Kirk, quherby ane perpetuall ordour may be takin for the libertie of the kirk of God, the ſuſtentatioun of the miniſtrie and fail-3eit members therof, ſo that the haill members of the kirk might, be ſure unioun and conjunctioun, be more able to gainſtand the violence of the foirſaids enemies. For anſwer, it is not unknowin unto 3ou, how the nobilitie of this realme are devydit, be reaſon of the Queens Majeſties haldin quher ſcho is; and that the towne of Edinburgh, quher 3e deſyre us to conveine, is keipit ſtraitlie be one part of the nobilitie and men of warre of their retinew, to quhoſe opinioun we are not adjoynit as 3et, and therfor we cannot thinke ourſelves ſure to conveine the ſaid day and place 3e deſyre us to keip, and els thinks marvell the haill multitude of Proteſtants within this realme ſould have been deſyreit to have conveinit in ſick a place, the matter ſtandand as it does. Nevertheles we for our awin pairt ſalbe weill willing at all tymes to ſett fordward the light of Chriſts evangell to be truely preachit, and the miniſters thereof to be ſuſtainit, and the furth ſetting of the policie concerning the kirk in all ſorts, ſo farre as it may ſtand be ane law, lykeas we have bein in all tymes by paſt, ſen it pleaſed God to opin our eyes and ſhew the light of his bleſſed word: And thus will cumber 3ou with no langer letter, bot prayes God to have 3ou in his eternall protectioun. Of Hamilton 29 of Julij 1567.

Your loving freind at power, in all godlines,
Arbrothe.

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Aberdeine Excuſatioun.

Right Honourable and welbelovit Brethren: After our heartlie commendatioun in the Lord Jeſus, this preſent is to advertiſe 3ou that we have receivit 3our letter, and at the requiſition of our miniſter and proveſt having commiſſion therto, hes ſightit, fein, and conſidderit 3our wryting and act of the Generall Aſſemblie, in the quhilk is containit the great labours tane be Satan and his members, makand impediment to the proceidings of the evangell and foorth ſetting of the glorie of God, ſuſtentatioun of the miniſtrie, the poore and neidie, and the contrair now to be provydit be the Aſſemblie Generall of the Chriſtian kirk of this realme, now to be conveinit be the xx day of Julij inſtant; craveing of us our concurrence to the effect forſaid, together with our perſonall preſence. It ſall pleaſe 3our wiſdomes to underſtand, and moſt aſſuredlie to beleive us profeſſours of the evangell within the burgh of Aberdeine, to be of ane mynd, and be the grace of God to continue to the manteinance of the furthſetting of the glorie of God, teaching of the true evangell, and ſuſtentatioun of the miniſters, with help unto the poore; and unto the tyme 3our wiſdomes with the nobilitie find ane ordour univerſall for the miniſtrie, we ſall for our awin pairt, God willing, ſuſtaine our miniſter, ſa that of reaſon he ſall have no cauſe of plaint, and to the poore, according to our power, doe ſemblablie as uthers burrowes ſall take ordour; and as to our perſonall preſence to conveine at this tyme, hes givin and ſend our miniſter, Adam Herriott, to concurre and aſſiſt in our name to the effect foirſaid, and to declare unto 3our wiſdomes the impediment of our perſonall preſence at this tyme; craveing 3our wiſdomes, notwithſtanding of our abſence, to credit us faithfullie to abyde at 3our decrie, to be ſett out be 3ou and the Aſſemblie to the effect foirſaid, and to mantaine the ſame with our bodies and goods as tyme ſall requyre. And farther having no occaſion for the preſent to wryte, comitts 3ou to the protection of the Higheſt. Wrytin the 12 of this inſtant Julij, and ſubſcrybit with our proveſts hand, at our command at Aberdein, be them that are 3our aſſurit.

Thomas Meinzies.

[The Aſſemblie appointed ſome brethren to conveen in Mr James Macgills houſe, to viſite and adviſe upon the aſſignations made latelie be the Queen to the miniſters, and of the payment thereof. C.]

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Seſſ. 3a. 23 Julij 1567.

Certaine brethren was appointit to conveine to ſie and advyſe upon the aſſignatioun of the ſtipends of the miniſtrie latelie aſſignit be the Queens Majeſtie the good payment, who fand in effect as followes.

We have ſein the aſſignatiouns within the ſchirefdomes of Kincardin, Forfare, Perth, and Fyfe, and finds that all the heale conteinit therin, at leaſt for the moſt part, hes bein thankfullie payit, and that the collectour hes givin his charges for payment therof dewlie, and reſts nothing but to put them to the horne; that ther be lettres directit and commiſſioun givin in the ſaids lettres, with conſent of the theſaurer, to collect and uptake the haill fruits of the benefices of ſo many as paſſe to the horne for the lxvi zeir, and ſicklyke for the lxvii zeir inſtant, ſo long as they remaine at the horne, and to make count of the thrid to the miniſtrie, and ſa meikle of the twa pairt as they intromett with to the theſaurer as eſcheitt. And as to the victualls within the forſaids ſhyres, we find that long before any lettres raiſit upon this aſſignatioun, and before the baptiſme of the Prince, they were ſauld be the comptroller; and therfor he man be chargeit in his compts to rander ſa meikle of the pryces heirof agaime to the miniſtrie as is containit in this aſſignatioun. Tuiching the thrids of the miniſters aſſignatioun beyond Die, except Orknay, finds be the collector, that the lxvi zeirs crope is not uſit to be payit whill Lammes in the lxvii zeir and after; and for executioun givin to him within the bounds, ſall paſſe with poſſible diligence, and charge that haill bounds according to the lettres, of the quhilks he ſuppones good payment as hes bein of befoir, except the biſhoprick of Caithnes, quhilk the collector alledges the biſchop payes to his miniſters of his awin kirks, conforme to the booke and compts made of befoir.

Item, Deare, Dunet and Pillorth are givin frie to the Erle of Marſchell and freirs of Aberdein, and Captaine Lauders; bot it is underſtand that all the gifts are revockit, and therfor the collector is to charge them.

Item, that victualls within the ſame bounds are ſauld ut ſupra; and therfor the comptroller in his comptis ſall rander conforme to the 1 Article.

Item: be ſouth Forth nothing gotten in; bot the collector alledges that Duncane Livingſtoun hes tane up ij^{c} xxxvij ti. ij ß. ij đ. as he hes

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grantit be the particular reffaitt, and therfor he man be chargit to delyvor the ſame to the ſaid collector.

Item, of the thrids that is conteinit within this collectorie, that is alledgit diſcharged. The thrid of the Abbay of Cambuſkineth to iij^{c} xxxiij ℔. ij ß. 8 ₫. iij chalder beir, and iij chalder meill.

The thrids of [Inchmahomo] lv ℔. 6 ß. 8 ₫. ij chalders beir, iij chalders meill.

The thrids of Drybrugh, iij^{c} iiij ℔. and 62 pairt boll wheit, viij chalders, 2 bolls, 2 pairt boll beir, vij chalders, x bolls, 2 pairt boll meill.

The thrids of Melroſe, Haddingtowne and Northberwick; the thrid of Kelſo and Coldinghame.

As to Dumfrieis, Annandaill, Kirkudbricht and Wigtown, the Biſchop of Galloway hes deput certaine collectors for ſatiſfactioun of the miniſtrie within the ſame.

Item, within Kyle, Carrick, Cunninghame, executiouns paſt, and beleivis to have payment at the nixt ganging in the countrey. Item, Corsraguell is givin frie, and the miniſter of Failfuird is ill payit.

Memorandum. That the Act be raiſit made be the Queens Grace and Secreit Counſell, diſchargeand the gifts and taks of all the thrids; and that nane ſould be givin heirafter without advyſe of the Secreit Counſell, to the effect the collector may charge notwithſtanding any ſick gifts.

Remember that ilk collector execute within his bounds, that lettres be directit with conſent of the theſaurer according to the firſt Article.

[Seſſ. 4ta 24 Julij 1567.

It was thought expedient that the portions aſſigned to the miniſters for 1566 ȝears be diſtributed be the collectors already appointed, and that they diſtribute the ſame, according to their rolls to be given be the ſuperintendents and commiſſioners which are to be appointed in this Aſſemblie where there are no ſuperintendents, to the ſaid collectors.

The tennor of the Commiſſion which is to be given to the Reviſer of the Rolls of Miniſters Stipends.

At Edinburgh, the 24 day of Julij 1567. The whole Aſſemblie in one voice thought meet, anent the aſſignation of money and victuals be the

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Queens Majeſty, for the ſuſtentation of the miniſtry the 1566 zears, that the diſtribution therof ſhall be made be the collectors already appointed, according to the tennor of the rolls of appointment of ſtipends, which the ſuperintendents and commiſſioners to be appointed ſhall receave from the keeper of the book of the miniſters ſtipends; and after the ſaid ſuperintendents and commiſſioners have diligently marked theſe that are dead, or have not diligently waited on their charges, as they will anſuer to God and the kirk therupon, to deliver the rolls to the ſaid collectors, to every ane within his own bounds; commending the collectors to pay every miniſter, exhorter and reider, the thrid part of that appointed in the rolls forſaid, the ſuperpluſs to be made compt of to the Aſſemblie.

Seſſ. 5ta. 25 Julij 1567.

The articles adviſed upon and formed be ſuch as were choſen in the firſt ſeſſion, were read publictly in preſence of the whole nobility and brethren aſſembled, and were allowed be them all who were preſent, and ſubſcribed firſt be the nobility, and after be the barons, ſuperintendents, and commiſſioners of towns.

It was ordained, that the commiſſioners appointed in the laſt Aſſemblie ſhould every one of them have an authentic coppie of the articles, ſubſcribed be the clerk of Aſſemblie, or Alexander Hay ſcribe to the Secret Counſell; and that the ſaids commiſſioners require all and ſundry earles, lords, barons and other faithfull brethren, who excuſed themſelves for not giving their perſonall preſence to this Aſſemblie, to ſubſcribe the ſaid articles with the reſt of their brethren, according to their promiſes made be word or be write; with certification to them that refuſe, that the kirk hereafter will not repute them as members of their body; and to return the rolls of the ſaid articles, ſubſcrived be the ſcribe of the Aſſemblie, to the effect their ſubſcriptions may be ſet down in the Regiſter with the reſt. C.]

Articles.

The noblemen, barrons, and uthers under-ſubſcryveand in this preſent Aſſemblie of the kirk of God, hes aggriet and condiſcendit to the articles after following, at Edinburgh, 20 July 1567.

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In the firſt, forſameikle as there was ane parliament haldin in this realme before the Queens Majeſties arrivall in the ſame, be the eſtates conveinit for the tyme, authorized with her Hienes awin power and commiſſion, in the quhilk parliament it was concludit, that the religion of Jeſus Chryſt then univerſallie receivit within this realme, ſould be univerſallie eſtabliſched and approvit within the ſame, and all papiſtrie with the papiſts uſurpit juriſdictioun, all idolatrie, and in ſpeciall the blaſphemous meſs, be aboliſchit and simpliciter put away, as the Acts made therupon purportis; quhilk Actis, together with the Queens Majeſties power to hald the ſame parliament, the noblemen, barrons, and uthers under-ſubſcryveand, willis to be extractit and put in full executioun as ane publick law, and that the tranſgreſſours therof be puniſhit according to the ſame, throughout the whole realme without exceptioun. Quhilk parliament, in all things concerning the religioun, they ſall defend and mantaine at ther uttermoſt in the firſt parliament quhilk ſalbe haldin, and at all uther tymes and occaſiouns convenient.

Item, that the Act already made towards the thrids of the benefices within this realme, principallie for ſuſtentatioun of the miniſtrie, may be dewlie put to executioun, according to the ordour of the Booke of the appointment of miniſters ſtipends, aſweill for them that are to be appointit as for them already placeit, and that the miniſters be firſt dewlie anſwerit and ſufficientlie ſuſtained of the ſame, to the releiſe of ther preſent neceſſitie, and quhill ane perfyte ordour may be tane and eſtabliſchit toward the full diſtribution of the patrimonie of the kirk according to Gods word; and that alſo the ordinance made be the Queens Majeſtie and her counſell toward the ſmall benefices, now extending to the valour of thrie hundreth marks, be dewlie put to executioun, alſweill toward the benefices quhilk hes vaikit ſen the dait of the ſaid ordinance, as concerning them that ſall happin heirafter to vaik; and ſick lyke the act made toward the annualls, obits, and altarages of burrowes.

Item, how ſoone ane lawfull Parliament may be had, or that the occaſioun may utherwayes juſtlie ſerve, the nobills, barrons, and uthers of the kirk after ſubſcryveand, ſall labour and preaſe to ther uttermoſt, that the faithfull kirk of Jeſus Chryſt profeſt within this realme, ſalbe put in full libertie of the patrimonie of the kirk, according to the booke of God, and the ordour and practiſe of the primitive kirk; and that nothing ſall paſſe in parliament unto the tyme the matters of the kirk foirſaid be firſt conſi-

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derit, approvit and eſtabliſhit; and in the meanetyme the profeſſours underſubſcryveand conſents and offers to reform themſelves according to the book of God, quhilk they ſall put in practiſe, and the refuſers and contraveiners to be ſecludit fra the boſome of the kirk. And moreover, in the ſaid nixt Parliament, or utherwayes at the firſt occaſioun, ordour ſalbe tane for eaſe of the poore labourers of the ground, toward the payment of there teinds in reaſonable maner, and how the ſame ſall not be ſett over there heids without ther advyſe and conſent.

Item, that nane be admittit nor permittit heirafter to have charge over ſchooles, colledges or univerſities, or ȝet opinly or publicklie to inſtruct the ȝouthheid, bot ſick as hes bein tryed be the ſuperintendents and viſitors of the kirk, ſalbe found ſound and able in doctrine, and admittit be them to ther charges.

Item, that all crymes, vyces, and offencis committit agains Gods law, may be ſeverely puniſhit according to the word of God; and quher lawes are preſentlie appointit for the puniſhment, and judges alſo to that effect deput, that the execution be made therupon as effeirs; and quher neither law nor judges are appointit for ſick crymes as are to be puniſhit be the law of God, that in the firſt parliament the ſame judges may be appointit, laws eſtabliſhit, as God commands in his word.

Item, that ſen the horrible murther of the King, the Queens Majeſties huſband, is ſo odious not only before God, but alſo the whole world, be continuall infamie and ſhame to this haile realme, if the ſame murther ſall not be puniſhit accordinglie; therfor the noblemen, barrons, and uthers underſubſcryveand ſall with all ther forces, ſtrenth and power, concurre and aſſiſt to take plaine part together, to further and mantaine the puniſhment of the ſaid murther on all and quhatſomevir perſons that ſalbe found guiltie of the ſame, ſeeing the plague of God ſall not depart from the countrey or towne wher innocent blood is ſhed, befor the ſame ſalbe cleanſit be ſhedding the blood of the offenders.

Item, ſen it hes pleaſit Almightie God of his mercie to give ane native prince to this countrey, appeirand to be our ſoveraigne, to the end he be not cruellie and ſhamefullie murtherit as his father was, the nobilitie, barrons, and uthers underſubſcryveand, ſall aſſiſt, mantaine and defend the prince againſt all that wald violently oppreſſe him or doe him injurie.

Item, that all kings, princes, and magiſtrates quhilk heirafter in any tyme to come ſall happin to beare reigne and rule over this realme, [at] ther

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firſt entres befor they be crownit and inaugurat, ſall make ther faithfull league and promiſe to the true kirk of God, that they ſall mantaine and defend, and be all lawfull meanes ſett fordward, the true religioun of Jeſus Chryſt preſentlie confeſſit and eſtabliſhit within this realme, even as they are obleiſchit and aſtrictit in the law of God, aſweill in Deutronomie as in the ſecond chapter of the Booke of the Kings; as they crave obedience of there ſubiects, ſo the band and contract to be mutuall and reciproque in all tymes comeing betuixt the prince and God, and alſo betuixt the prince and faithfull peiple according to the word of God.

Item, that the prince whom God hes givin us, alſweill for his ſuretie as good educatioun, ſall be comittit to wiſe, ancient, godlie and learned men of the realme, to be brocht up within the ſame in the feare of God and virtue, wherby he may ſo profit in his zouth, that when he ſall come to his zeirs of majoritie, he may be able to diſcharge himſelfe of that honour and place quherto he ſalbe callit, and prove that good king quhilk with all ther hearts they wiſch him to be.

Item, the nobilitie, barrons, and uthers of the kirk underſubſcryveand, in the preſence of God hes faithfullie promiſeit to conveine themſelves, together with ther power and forces, and heir to begin to ruit out, deſtroy and alluterlie ſubvert all monuments of idolatrie, and namely, the odious blaſphemous meſſe, and therafter to goe fordwart throughout this whole realme, to all and fundrie places quhatſumevir idolatrie is foſtred, hanted or maintained, and cheiflie quher meſſe is ſaid, to execute the reformatioun forſaid, without exceptioun of place or perſons; and ſall to the uttermoſt of ther power remove all idolaters, and uthers that are not admittit to the miniſtrie of the kirk, fra all functioun therof, aſweill privat as publick, that they hinder not the miniſtrie any maner of way in ther vocatioun; and in place of the premiſſes, ſett up and eſtabliſh the true religioun of Jeſus Chryſt throughout this haill realme, be planting of ſuperintendents, miniſters and uthers neidfull members of the kirk; ſeeing the hoſt of the Lord ſall paſſe through the whole countrey to this effect, and alſo ſall proceid to the puniſhment of idolaters, according to the lawes therupon pronouncit, and ſick lyke ſall puniſch and cauſe be puniſchit all uther vyces that preſentlie abounds within this realme, quhilk Gods law and the civill law of this realme comands to be puniſhed, and cheiflie the murther of the King laitlie comittit. And in lyke maner promiſe faithfullie to reforme ſchooles, colledges, and univerſities throughout the whole realme,

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and expell and remove the idolaters that hes charges therof, and uthers quho hes not 3et joynit themſelfe to the true kirk of Chryſt, and plant faithfull inſtructors in ther rowmes, to the effect that 3outh be not infectit be poyſonable doctrine at the beginning, quhilk afterward cannot be well removeit away.

Followes the ſubſcriptioun of the Erles, Lords, Barrones, and uthers Comiſſioners preſent for the tyme.

Mortoun, Glencairne, Mar, Hume, William Lord Ruthven, Sanchair, Patrick Lord Lindſay, Grahame, Lord Innermaith, Ochiltree, Sir James Balfour, James M'Gill, Tullibardin Comptroller, William Maitland, John Erſkine, John Wiſchart, Glenbervie, John Cunighame of Drumquhaſſill, William Kirkadie, John Cathcart of Cariltown, William Moncreiff, Drumlangrick, Bargany, Andro Wood of Largo, Andro Stewart, Robert Fairlie of Braid, Archibald Wood, George Barclay of Mathirs, George Corrie of Kelwood, George Hoome of Spott, Mr William Lundie, Gilbert Kennedy of Dalquharrane, John Melvill of Raith, Quhittinghame, Raffyth, Baro, Pittencreiff, Andro Car in Fandoneſyde, Thomas Scott of Harne, Robert Cambell, Henrie Grahame, Johne Fullerton of Dreghorn, Alexander Guthrie of that ilk, William of Craigings, Williame Durhame of Grange, Thomas Diſchingtoun, Thomas Scott of Thirlſtoun, George Straiton of that ilk, Alexander Creichtoun of Karko, Mr John Wood, Alexander Ogſtoun of Fethercarnie, Patrick Kyninmonth, Robert Lindſay, Theſaurer, John Colles, William Meingies, John Mellvill, William Edmeiſtoun of Duntreith, Robert Murray, John Schaw, John Stewart of Minto, Gilbert Ogilbie of that ilk, James Chalmer of Gaitgirth; Comiſſioners of townes, for Edinburgh, Alexander Clark bailzie, Mr Clement Litle, Mr John Preſtoun, Mr Richard Strang; for Air, Paul Reid, Richard Bannatyne, Gilbert M'Millane; for Irwin, Alexander Cuninghame, Alexander comendator of Culros; for Glaſgow, Mr David Weymis, James Boyd; for Jedbrucht, William Howburne, Alexander Forreſter.

[Names of thoſe that ſubſcribed afterward at the deſire of the Commiſſioners. William Chirneſyde of Eiſtniſbet, Kenneth M'Kenzie, Robert Monro of Foulis. C.]

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A. D. M.D.LXVII.

THE Convention of the Brethren, haldin in Edinburgh the 15 of December 1567 zeirs, befor the Generall Aſſemblie of the haill Kirk to begin the 25 of the month forſaid.

Firſt, were nominat and choſen for every province certaine brethren to reaſon and conferre upon ſick things as appeirandly ſould be neceſſar for ſetting fordward the affaires of the kirk, without prejudice of the Generall Aſſemblie and actiouns therof.

xxii Decembris 1567.

Anent the crymes of inceſt and adulterie, and puniſhment to be takin theranent in the nixt Generall Aſſemblie, the brethren preſentlie conveinit thinks it neceſſar that every miniſter, with the elders and deacons, ſall ſearch out within ther awin bounds at ther ſeſſiouns the foirſaid crymes, if they be notour; therafter to ſignifie the ſame to the ſuperintendent of the dyocie at his ſynodall conventioun; and he therafter to notifie the ſame to the ſupreme magiſtrat, requyreing him to miniſter juſtice and puniſch ſick haynous offences according to the law of God, as he will anſwer to that Supreme Judge at that day when no reſpect of perſons ſalbe had: And wher no ſuperintendent is zet placed, that the miniſters, elders, and deacons, declare the ſaids crymes to the Generall Aſſemblie, to the effect forſaid.

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A. D. M.D.LXVII.

THE Generall Aſſemblie of the Kirk conveinit in Edinburgh, in the Nether Tolbuith therof, the 25 of December 1567. In the quhilk were preſent Erles, Lords, Barrones, Superintendents, Miniſters, and Comiſſioners of Townes and Kirks. The invocatioun of Gods name was made be Mr Johne Craig ane of the Miniſters of Edinburgh.

For eſchewing of confuſioun in reaſoning in this preſent Aſſemblie, was choſen Mr Johne Row miniſter of St Johnſtoun to be moderator.

[The Superintendent of Fife was complained upon for not viſiting kirks, nor teaching in kirks ſubject to his charge, nor taking up crymes and offenſes to be puniſhed.

Adam called Biſhop of Orkney, Commiſſioner for Orkney, being abſent, was delated for not viſiting the kirks of his country, but from Lambmeſs to Hallowmeſs. Item, That he occupied the room of a judge in the ſeſſion, the ſheep wandering without a paſtor. Item, Becauſe he retained in his own companie Sir Francis Bothuell, a papiſt, to whom he had given benefices, and placed a miniſter. Item, Becauſe he ſolemnized the marriage of the Queen and the Earl of Bothuell, which was altogither wicked, and contrair to Gods law and ſtatutes of the kirk.

Alexander called Biſhop of Galloway, commiſſioner, was accuſed, That he had not viſited theſe three years bygone the kirks within his charge; that he had left off the viſiting and planting of kirks, and he haunted Court too much, and had now purchaſed to be one of the Seſſion and Privie Councell, quhich cannot agree with the office of a paſtor or biſhop; that he had reſigned Inchchaffrey in favours of a young child, and ſet diverſe lands in feu, in prejudice of the kirk.

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Certain commiſſioners were appointed to viſit kirks: Mr John Knox miniſter of Edinburgh, was appointed to aſſiſt the ſuperintendent of Louthian, in his viſitation from Stirline to Berwick, and therafter to viſit Kyle, Carrict, and Cuninghame. C.]

Seſſ. 2da 26 December 1567.

[Mr John Craig, David Lindſay, George Buchanan Principall of Sanct Leonards Colledge, and Mr George Hay, or any two of them, were appointed to direct their edicts to all miniſters, elders, and deacons of kirks, under the Superintendent of Fife his charge, to compear at Couper the 22d day of Januar, with their complaints againſt the ſaid ſuperintendent, to try and report to the nixt Aſſemblie. C.]

The haill kirk aſſemblit thoght it meitt, that certaine brethren be appointit to concurre at all tymes with ſick perſons of parliament or ſecreit counſell as my Lord Regents Grace hes nominat for ſick affaires as pertaines to the kirk and juriſdictioun therof, and alſo for deciſions of queſtiouns that may occurre in the meane tyme, whoſe names followe: Mrs Johne Knox, Johne Craig, miniſters of Edinburgh, the ſuperintendents of Angus and Lowthiane, David Borthwick, Thomas M'Calzean, Mr David Lindeſay miniſter of Leith, George Hay of Ruthwen, and Johne Row of St Johnſtoun.

[Mr Clement Little, Alexander Sim, and Richard Strang, were appointed Procurators, to defend and purſue all Actions pertaining to the Kirk, before whatſoever Judge or Judges; Mr George Makeſon was choſen Solicitor, James Nicolſon was Comptroller, keeping the rentalls of the Thirds of Benefices, and Aſſumptions therof. C.]

Seſſ. 3a 28 Decembris 1567.

[The Lairds of Braid, Whittinghame, and Elphingſtone, Mr Alexander Arbuthnot, John Braid miniſter, were joyned to the Brethren nominat in the Second Seſſion, appointed to concur with the Lords of Secret Counſell for deciſion of queſtions after the Aſſembly. C.]

Ordaines that Superintendents and Commiſſioners appointit ſall plant

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Miniſters vacand in ſick rowmis wher the parochiners will gladlie ſuſtaine them on their awin expenſis, whill uther ordour be had; and that they remove none out of the rowmes, being found qualified, without advyſe and conſent both of the Kirk and Miniſter that is found worthie of the place.

Seſſ. 4ª 30 Decembris 1567.

[Mr Patrick Craigh miniſter of Ratho, for celebrating the marriage of James Lindſay, and a woman whom he had abuſed in fornication, without proclamation of bands or a teſtimonial therof, and upon a ferial day, contrair to all order eſtabliſhed in the Kirk, and chiefly ane Act made in December 1565, was ſuſpended from his miniſtrie, and lifting up of his ſtipend. C.]

Anent the accuſatioun laid to my Lord Argyles charge, tuitching the ſeparatioun betuixt him and his wyfe, declarit that he was not the occaſioun therof. As to uther offences quhatſoever, quherthrow he hes bein any wayes ſlanderous to the Kirk, he was content to ſubmitt himſelfe to the diſcipline of the Kirk at all tymes moſt willinglie; and therfor the Kirk ordainit the Superintendent of Argyle to take tryall of the ſaids ſlanders committit be the ſaid Erle, and therafter to cauſe ſick ſatiſfaction be made as Gods law appoints, and to report the ordour therof to the nixt Generall Aſſemblie of the Kirk, together with his awin diligence in execution of his office of Superintendentrie.

[The Biſhop of Galloway, accuſed for neglect of preaching and overſeeing the kirks within his juriſdictioun theſe three years bygone, and attending upon Court, Seſſion and Secreit Counſell. He granted that he offended in all that was laid to his charge. His Commiſſion continued till the nixt Aſſemblie, with admonition to be diligent in viſitation. C.]

Anent the Mariage of the Queine with the Erle of Bothwell, be Adam callit Biſchop of Orkney, the haill Kirk finds that he tranſgreſt the act of the Kirk in marrying the divorcit adulterer; and therfor depryvis him fra all functioun of the miniſtrie, conforme to the tenour of the act made therupon, ay and quhill the Kirk be ſatiſfied of the ſlander committit be him.

The ſame day, Mr Johne Craig was bruitit for proclameing the bands betwixt the Queine and the Erle Bothwell; who anſwerit be word, juſtifie-

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ing his proceidings theranent, and was ordainit to give in his purgatioun in wryte, to the effect that his good mynd and proceidings may be knawin to all and ſundrie that heirafter wald be ſatiſfied heiranent.

Tenour of the forſaid Purgatioun.

To the end that all that feares God may underſtand my proceidings in this matter, I ſall ſhortlie declare what I did, and what moved me to defend the ſame, leaving the finall judgement of all things to the Kirk. Firſt, be the requeiſt of Mr Thomas Hepburne, in the Queins name, to proclame her with my Lord Bothwell, I plainly refuſeit becauſe he had not her hand wryte; and alſo the commoun brute that my Lord had both raviſcht her and keipt her in captivitie. Upon Wedinſday nixt, the Juſtice Clerk broght me ane wryting ſubſcryvit with her hand, bearing in effect, That ſho was neither raviſchit, nor ȝet retainit in captivitie, and therfor chargeit me to proclame. My anſwer was, I durſt proclame no bands (and cheiflie ſuch) without conſent and comand of the Kirk. Upon Thureſday nixt, the Kirk, after long reaſoning with the Juſtice Clerk and amangſt the brethren, concludit that the Queines mynd ſchould be publiſhit to her ſubjects thrie next preaching dayes; but becauſe the Generall Aſſemblie had prohibited all ſick marriages, we proteſtit we wold neither ſolemnize, neither ȝet approve that mariage, bot wald only declare the Princes mynd, leaving all doubts and dangers to the counſellours, approvers and performers of the mariage. And ſo upon Fryday nixt, I declarit the haill mynd and progreſſe of the Kirk, deſyreing every man in Gods name to diſcharge his conſcience befor the Secreit Counſell, and to give boldnes to vthers. I deſyrit of the Lords ther preſent tyme and place to ſpeake my judgement befor the pairties, proteſting if I were not hard and ſatiſfied, I either wald deſiſt from proclaming, or els declare my mynd publicklie before the Kirk. Therfor being admittit after noone before my Lord in the Counſell, I laid to his charge the law of adulterie, the ordinance of the Kirk, the law of raviſching, the ſuſpicioun of colluſioun betwixt him and his wyfe, the ſudden divorcement, and proclaming within the ſpace of foure dayes, and laſt, the ſuſpitioun of the Kings death, quhilk her mariage wald confirme. Bot he anſuerit no thing to my ſatiſfactioun; quherfor after many exhortatiouns, I proteſtit that I could not but declare my mynd publicklie to the Kirk. Therfor, upon Sonday, after I had declarit quhat they had done, and how they wald pro-

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ceid quhither we wold or not, I tooke heavin and earth to witnes that I abhorrit and deteſtit that mariage, becauſe it was odious and ſlanderous to the world; and ſeeing the beſt part of the realme did approve it, either be flatterie or be their ſilence, I deſyrit the faithfull to pray earneſtly that God wald turne it to the comfort of this realme, that thing quhilk they intendit agains reaſon and good conſcience. I, becauſe I heard ſome perſons gangand againſt me, uſit thir reaſons for my defensis: Firſt, I had brock-in no law be proclaming of thir perſons at their requeſt; ſecondlie, if their mariage was ſlanderous and hurtfull, I did weill in forewarning of all men of it in tyme; thirdlie, as I had of duetie declareit to them the Princes will, ſa did I faithfully teach them be word and example what God craveit of them. Bot upon Tueſday nixt I was callit befor the Counſell, and accuſeit that I had paſt the bounds of my commiſſioun, calling the Princes mariage odious and ſlanderous befor the world. I anſuerit, The bounds of my commiſſion, quhilk was the word of God, guide lawes and naturall reaſon, was able to prove quhatſoever I ſpake; ȝea that their awn conſcience could not but beare witnes that ſick a mariage wald be odious and ſcandalous to all that ſould heir of it, if all the circumſtances therof were rightlie conſidderit: Bot quhill I was coming to my probatioun, my Lord put me to ſilence and ſend me away. And ſo upon Wedinſday, I firſt repeited and ratified all things befor ſpokin, and after exhortit the brethren not to accuſe me, if that mariage proceidit, bot rather themſelves, who wold not for feare oppone themſelves, bot rather ſharpit their tongues againſt me becauſe I admoniſhed them of their duetie, and ſufferit not the cankerit conſciences of hypocrites to ſleip at reſt, proteſting at all tymes to them that it was not my proclaming bot rather their ſilence that gave any lawfulnes to that mariage. For as the proclaming did take all excuſe fra them, ſo my privat and publick impugnatioun did ſafe my conſcience ſufficiently; and this farre I proceidit in this mariage, as the kirk of Edinburgh, Lords, Erles, and Barrones that heard me will beare me witnes. Now ſeeing I have been ſhamefullie ſlanderit both in [England and] Scotland, be wrong informatioun and falſe report of them that hateit my miniſtrie, I deſyre firſt the judgement of the Kirk, and nixt the ſame to be publiſhit, that all men may underſtand quhither I be worthie of ſick ane brute or not.

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Seff. 5ª ultimo Decembris 1567.

[The power of commiſſioners appointed to viſit and plant kirks, was limited in manner following: They are to conſider what perſons poſſeſs benefices within the bounds of their viſitation, how long, and at whoſe preſentation, alſo their qualities and ſufficiencies: And if any vaick in the time of their preſentation, to diſpone the ſame to qualified perſons, being preſented be the right patrons; and if they diſpone any benefice to unqualified perſons, they ſhall underly the cenſure of the kirk at the nixt Aſſemblie, ſhall be puniſhed accordingly, and the benefice ſhall be beſtowed upon another who is qualified. C.]

Anent the complaint givin in againſt my Lady Argyle, declaring how ſho once, being at the table of the Lord Jeſus, and profeſſing his Evangell, had revoltit therfra in giving her aſſiſtance and preſence to the baptizeing of the King in a Papiſticall maner. The ſaid Ladie being preſent, grantit that ſho had offendit to the eternal God, and bein ane ſlander to the Kirk, in committing the premiſſe, and therfor willinglie ſubmittit her ſelfe to the diſcipline of the Kirk and diſcretioun of them. Therfor the Kirk ordaines the ſaid Ladie to make public repentance in the Chappell Royall of Striveling, upon ane Sonday in tyme of preaching, and this to be done at ſick tyme as the Kirk heirafter ſall appoint be the ſuperintendent of Lowthiane, provydeing alwayes it be before the next Aſſemblie.

[Twelve or thirteen brethren wer appointed to conveen and chooſe Collectors, for uplifting and inbringing the Thrids of Benefices in every province, and enjoin what every one of them ſhall obſerve.

The Kirk preſently aſſembled in the Tolbooth of Edinburgh, hath elected, nominat, made, conſtitute and ordained, and be the tennor hereof elects, makes, nominates, conſtitutes and ordaines their beloved Brother N. their collector within the bounds of N. granting, giving, and committing to him full power, authority, ſpecial command, and charge, to aſk, crave and receive, in name of the ſaid Kirk, intromett and uptake all and ſundrie the thrids of whatſomever benefices lying within the ſaid bounds; together with the whole fruits of common kirks, and all other common rents; whole fruits and rents of Freirs lands, places and livings; whole ſuperplus omitted, and benefices or chapplanries not given up in rentalls, lying within the bounds above ſpecified, which are now be Parliament givin and aſſigned to the Miniſtrie of the Kirk, of the crop and year of God

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1567 years inſtant, and ſicklike yearly in time coming, quhill he be lawfully diſcharged; acquittances and diſcharges thereupon to make, give and ſubſcrive; and generally all and ſundry other things to doe and exerce, that to the office of collectorie in ſuch caſes, by law and conſuetude, is knowen to pertain; firm and ſtable holding and for to hold all and whatſomevir things the ſaid collectors doeth in the premiſes, or lawfully leadeth to be done; provyding alwiſe that he uſe the ſaid office of collectorie, and behave himſelf therin, according to the injunctiouns given to him therupon; and make compt reckoning and payment of his intromiſſions, after the form and tenor therof. Givin in the General Aſſemblie, and fifth Seſſion therof.

The Tennor of the Caution for everie Collector, according to the Injunctions, followeth:

We N. and N. Forſameikle as the Aſſembly holden at Edinburgh the 2d of Januar 1567 years, hath made and conſtitute their loving brother N. within the bounds of N. collector, and hath made and given to him certain injunctions, with commiſſion for uſing of the ſaid office for the crop and year of God 1567 years inſtant, and ſicklike yearly, and in time coming, quhill he be lawfully diſcharged, as at more lenth is contained in theſe ſaid injunctions and commiſſion: Therfor we bind and obleige ourſelves, our Heirs, Executors and Aſſigneys, to Mrs Clement Little and Richard Strang, Procurators for the Kirk, and in their names, that the ſaid N. ſhall truely, leilly and diligentlie uſe and exerce the ſaid office, to the weel and utility of the Kirk, without fraud or guile, according to the commiſſion and injunctions given to him therupon; and ſhall make reckoning and thankfull payment of his intromiſſions during all the time of his office; and if he fail, we ſhall refound and pay to the Kirk all and whatſomever things the ſaid N. ſhall happen to be addebted to them, during all the time forſaid: And for more ſure payment of the premiſes, we are content and conſents that this our aſſignation be acted in the books of Counſel, and decerned to have the ſtrength of a decreit of the Lords, and executorials to paſſe thereupon in form as effeirs. And I the ſaid N. bind and oblige me myſelf, my heirs, executors and aſſigneys, to free, releeve and keip ſkaithleſs the ſaid N. and N. my ſoverties, &c. In witneſs of the whilks, we have ſubſcrived this obligation with our hand at Edinburgh the day of .

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It is required, that every collector be known to be of ſound religion; that they ſhall do their office without ſuſpicion of fraud or avarice, make payment to every ſuperintendent, commiſſioner of the Kirk, miniſter or reader living within their bounds, of the ſtipend appointed to them quarterly, at four terms in the year, and that the ſaid payment be made to every one that ſerveth that hath ſtipend or fee, at their own houſes, that they be not compelled to ſeek abroad, and leave their vocation: That where the rental beareth victuall, they ſhall not have power to ſell the victuall or any part thereof, or ſett price thereupon, but be the advice of the Aſſembly allenerly, or ſuch as they ſhall deput commiſſioners thereto in every province; and that the ſaid collectors ſhall have their hand-writs to ſhew at their compts, and ſhall ſell no victuall till the miniſters be firſt furniſhed, or els refuſe to receive the ſamein upon the prices which ſhall be appointed: And if the poor labourers be not able for povertie to deliver the bolls, he ſhall take no higher prices than is appointed, nor put up in the garnel, where he may have the prices befor appointed.

Item, that they ſhall not drive time fraudulently, in payment of miniſters ſtipends; that they be not compelled through neceſſity to give acquittances of greater ſumes than they ſhall happen to receave, or take the victualls at dearer prices than ſhall be appointed: And if it be known that he hath dealt fraudulently or covetouſly, to the hurt either of miniſters or ſubjects, that he ſhall incurr the pain of twa hundereth pounds, to be applyed to godlie uſes.

Item, That they ſhall make a juſt account to the Aſſembly, or others to be appointed to receave the ſame, of their particular intromiſſions with their foirſaids thrids, and make faithfull payment of the ſuperpluſſes reſting in their hands above the payment of the miniſters, or els give in letters of horning ſufficiently execut and indorſed, of their diligence.

Item, That they reſign their office in the hands of the Aſſembly, whenſoever they ſhall be charged, or found negligent or fraudulent. Item, That they find ſome ſufficient landed man or burgeſs, cautioner, one or more if one be not ſufficient for the faithful adminiſtration of their office, under pain of refounding all damages, ſkaiths, and entreſs which the Kirk or any member therof ſhall ſuſtain through their defaults, the ſamein being ſummarily liquidat and known, and loſs of their office ipſo facto, and under pain before expreſſed in the fourth Article.

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Seſſ. 6ta ... Januarij 1567.

The Superintendent of Angus preſented a ſupplication in write, or rather a dimiſſion of his office of ſuperintendantrie, be reaſon he was not able to diſcharge that office in reſpect of his age and infirmity: The Aſſembly notwithſtanding would not accept this his dimiſſion, for divers reſpects, to be ſhown to the ſaid ſuperintendent, and continued him in the ſaid vocation till farder adviſement.

Seſſ. 7ma ... Januarij 1567.

It was ordained, That a letter ſould be ſent to England to Mr Willocks to requeſt him to return; the tennor wherof followeth.

Videbam Satanam ſicut fulgur de cœlo cadentem.

As the Lord our God hath at all times been from the beginning of this his work of reformation and reſtitution of the purity of his true worſhip and religion within Scotland, loving brother in the Lord, moſt beneficiall and bountifull toward this realme, ſo hath he now be this laſt, but moſt miraculous victory and overthrow, poured forth in greateſt abundance the riches of his mercies, in that not only he hath driven away the tempeſt and ſtorm, but alſo hath quited and calmed all ſourges of perſecution; as now we may think weal our ſhip is receaved, and placed in a moſt happy and bleſſed port; our enemies, praiſed be God, are daſhed; religion eſtabliſhed; ſufficient proviſion made for miniſters; ordour taken, and penaltie appointed, for all ſort of tranſgreſſion and tranſgreſſours; and above all, a godly magiſtrat, whom God of his eternall and heavenly Providence hath reſerved to this age, to put in execution whatſoever he by his law commandeth. Now then, loving brother, as your preſence was to us all in time of trouble moſt comfortable, ſo it is now of us all univerſally wiſhed, but moſt earneſtly craved be your own flock, who continually at all Aſſemblies have declared the force of that conjunction, the earneſtneſs of that love, the pith of that zeal and mutual care that bindeth the paſtor with his flock, which neither be progreſs of

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time is diminiſhed, nor be ſeparation and diſtance of places reſtringed, nor yet be tyrannie and fear diſſolved. True it is, that at this their moſt earneſt and juſt petition, we have ever ſtill winked this time paſt; not but that to us all your abſence was moſt dolourous; but in reſpect of troubles, we judged more meet to await for ſuch opportunity as now God, in this moſt wonderfull victory of his evangel, hath offered: Therfor ſeing all impediments are removed, and your flock ſtill continueth in earneſt ſuit for you, and now every where throughout the realme commiſſioners and ſuperintendents placed, and one offered to them, and be them refuſed altogither, awaiting for you; we could no longer ſtay, but agree to this their deſire, in ſuit whereof neither through fear have they fainted, nor by charges retarded, nor yet by any kind of offer deſiſted; and as we have been moved to grant to them that which they have thus humbly and continually ſuited, we cannot but perſwad ourſelves but ye will ſatiſfie the ſame; neither can we think that the ſhepherd will refuſe his flock; that the father will reject the juſt petition of his ſon; leaſt of all, that the faithfull ſervant of God will ſhut up his ears at the voice and commandment of the Kirk, or yet deny his labours to his own country. The time is proper now to reape with blythneſſe that be you before was ſowen in tears, and enjoy the fruit of your moſt weariſome and painfull labours. It ſhall be no leſs pleaſant to you to ſee your own native country at liberty and freedom, quhich ye left in mourning and ſobbing, under the heavie burden of moſt cruell ſervitude, then comfortable to behold the religioun of Jeſus Chriſt throughout all the realm flouriſhing, vertue increaſing, vertuous men in reputation; and finally to embrace thoſe dayes, quhich howſoever hath been be your ſelf moſt piouſly deſired, yet could ye never look to obtain the ſame. Now, at laſt to conclude, unleſs ye will be ane enemie to your country, ye will not refuſe theſe requeiſts; unleſs ye will be ſtubborn and diſobedient, ye will not contemn the commandment of the Kirk; unleſs ye will be careleſs and unthankfull, ye will not diſpiſe the humble, continuall and earneſt ſuit of your flock; and laſt we aſſure our ſelves, that ye are not ſo aſtricted and addicted to your own particular, as that this generall and common cauſe ſhould be in anywiſe be you neglected. Now ſhall ye ſee the kaipſtone of that work wherof ye laid the foundation. Thus we cannot look for any other anſwer then ye ſhall give be your ſelf, and that with all expedition poſſible. Our ſtate, ye know, is not ſo ſure but we ever ſtand upon our watches; but that, we know, will not ſtay

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you, ſeing your compt is ſo laid. Thus we commit you to the protection of our Lord Jeſus. At Edinburgh, in our Generall Aſſembly, and ſeventh ſeſſion therof. C.]

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A. D. M.D.LXVIII.

THE Generall Aſſemblie of the Kirk conveinit in Edinburgh, in the Nether Tolbuith therof, the firſt day of July 1568: In the quhilk was preſent the Nobilitie, Superintendents, Miniſters, and Commiſſioners of Townes and Kirks. Thanks was given to God, and ſupplicatioun made for his aſſiſtance of his Holie Spirit, be Mr Johne Willock.

The ſame day, for eſchewing of confuſioun in reaſoning, and that every brether ſpeake moderatlie in his awin rowme, and that with reverence and licence, the haill brethren aſſemblit chooſe Mr Johne Willock, Superintendent of the Weſt, to be moderator for this preſent Aſſemblie, quho being choſen accepted the office, under proteſtatioun that obedience be given.

[The commiſſioners depute be the laſt Aſſembly to take trial of the complaints givin in, or to be given in, againſt the Superintendent of Fife, produced the execution of their commiſſion ſubſcribed be Mr David Spence their ſcribe for the time. Others were appointed to reviſe their proceedings and to report. He was accuſed of negligence in his viſitations; that he was careleſs in puniſhing adulterers; that he retained ane called Flecher, a reader in the kirk of Lewchars, whom Mr Knox had found unable. To this laſt he anſwered, that he knew not that Mr Knox had pronounced any ſuch ſentence againſt him. It was alleged be the laird of Tarbett, that, when he was viſiting the kirk of Skennie, Mr William Blackwood deſired him to declare of his conſcience, whither the meſſe was idolatry, when he alleged that tithes ſhould be paid to none but ſuch as have recanted the meſſe, the ſaid ſuperintendent in audience of the whole people, bad the ſaid Mr William take it on his conſcience. His anſwer was, it is long ſince I thought the meſſe idolatry, but I ſaid ye moſt condemn it in your own conſcience.

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Some brethren were appointed to reviſe the travels of the ſuperintendents and commiſſioners, appointed be the laſt Aſſembly, to viſite kirks, to note the notorious crimes and names of the offenders, that their names might be preſented to the Regent with a ſupplicatioun of the Aſſembly for juſtice, to wit, Mr John Craig, John Row, William Chriſteſone, John Duncanſone, David Fergusone, and Mr Robert Hammilton miniſter at Sanct Andrews.

It was ordained, that ſuperintendents ſhould command readers to abſtain from all miniſtration of the ſacraments, under the pain to be accuſed as abuſers, and criminall according to the act of Parliament. C.]

Seſſio 2a. 6 Julij 1568.

Anent the ordour heirafter to be uſit in Generall Aſſemblies, to the deſyre of ane lettre preſented be ane brether for receiving of the ordour heirtofoir, the haill votit and concludit as followes, viz. That give the ordour already received pleaſes not men, be reaſon of the pluralitie of voyces; it was thought meitt to reforme in this maner:

Firſt, That none have place nor power to vote, except ſuperintendents, commiſſioners appointit for viſiteing kirks, miniſters brocht with them preſentit as perſons abill to reaſon, and having knowledge to judge. With the ſoirnamit ſall be joynit commiſſioners of burghes and ſhyres, together with commiſſioners of univerſities.

Secondlie, Miniſters and Commiſſioners of Shyres ſall be choſen at the ſynodall conventioun of the dioces, be conſent of the reſt of the miniſters and gentill men that ſall convene at the ſaid ſynodall conventioun. Comcomiſſioners of burghes ſall be appointit be the (L) counſall and kirk of their awin townes.

Thridlie, none to be admittit without ſufficient commiſſioun in wryte; and on aventure that this ſould come ane monople and perpetuall electioun of a few certaine miniſters and commiſſioners, it is concludit that they be changeit fra Aſſemblie to Aſſemblie.

Anent the queſtioun of murther committit upon ſuddentie and for ſatisfactioun to be made to the Kirk therfor; Firſt, it was anſuerit, that the cryme being confeſſit, or convict lawfullie, the offender ſall be admoniſhit

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be the ſuperintendent, or be the nixt reformed kirk where the ſlaughter was committit, to abſtain from all participatioun of the Sacraments, untill that he ſatiſfie the kirk as ſall be appointit, and that their admonitioun ſall be publiſhit where the cryme was committit, and where the recent brute therof was ſpread; to the end that men may underſtand that the Kirk winks not at the ſhedding of innocent blood. Secondlie, if the cryme be denyed, and zet the brute therof be conſtant, and as it were publick, zet ſall the ſuſpect be commandit to abſtaine fra the uſe of the Sacraments, untill ſick tyme as farder tryall may be had, or els that he be ſolemlie purgit of the brute. As for the ſudden murther and that quhilk is committit wilfullie, we remitt the anſuer therof to ane former act.

Anent the forme of receiving the homicide or adulterer to the Kirk; nane that hes committit ſlaughter, adulterie, or inceſt, or heirafter ſall committ the ſame, ſall be receivit to repentance be any particular kirk, till that firſt they preſent themſelfe befor the Generall Aſſemblie, ther to receive their injunctiouns, and therafter they ſall keip the ſame ordour that was preſcryvit to Paul Methven in his repentance: This being addit, that he or they ſall beir into there hand, at all the tymes of the publick repentance, the ſame or lyke weapon wherwith the murther was committit.

[As for oppreſſors of children, they are to be admoniſhed be the Kirk to make publick repentance in ſackcloth, barefooted and bareheaded, ſo oft as the particular kirks ſhall appoint.

Becauſe the Aſſemblie was troubled with reading and anſwering of bills, the ſuperintendent of Fife, Mr George Hay, William Chriſteſon, David Lindſay, miniſters, were appointed to read the bills, to write their anſwer according to their judgment on the back, and to report all to the Aſſemblie. C.]

Seſſ. 3ª 7 Julij 1568.

It was delaitit and found that Thomas Baſſandine, Printer in Edinburgh, imprintit ane booke, intitulat the Fall of the Romane Kirk, nameing our king and ſoveraigne ſupreame head of the primitive kirk: Alſo that he had printed ane pſalme booke, in the end wherof was found printed ane baudie ſong callit Welcum Fortoun, whilk books he had printit without licence

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of the magiſtrate, or reviſeing of the Kirk: Therfor the haill Aſſemblie ordainit the ſaid Thomas to call in againe all the ſaids bookes that he hes ſauld, and keip the reſt unſauld untill he alter the forſaid title, and alſo that he delete the ſaid baudie ſong out of the end of the pſalm booke: And farther, that he abſtaine in all tyme comeing fra farther printing of any thing without licence of the ſupreame magiſtrate, and reviſeing of ſick things as pertaine to religioun be ſome of the Kirk appointit for that purpoſe. Attour the Aſſemblie appointit Mr Alexander Arbuthnet to reviſe the reſt of the forſaid tractat, and report to the Kirk what doctrine he finds therin.

[It was ordained, That no office bearer in the Kirk ſubſcrive any aſſignation, or give charge to any collector, to anſwer any man of any portion of the patrimony of the Kirk, but ſuch as bear office in the Kirk; and that according to the rolls given to them, ſubſcrived be the keeper of the regiſter of miniſters ſtipends.

It was thought neceſſar that order ſhould be taken, that common kirks and tithes vacant ſince the laſt Parliament through neglect of preſentation ſhould be diſponed to qualified men, able to diſcharge their calling to the comfort of the people.

It was ordained, that ſuperintendents and commiſſioners require ſuch as enjoy benefices, and have gifts enabling them to the miniſtrie, to be preſent at the nixt Aſſemblie, to accept thereof according to their ability. C.]

Seſſio 4ta. 8 Julij 1568.

[Mr Patrick Creich is ordained to make his repentance in Edinburgh the next Lords day; and if he committ the like offence for which he was ſuſpended in the former Aſſemblie, it is ordained that he be depoſed from the functioun of the miniſtry, and underly farther correction as the Kirk ſhall think meet; and that quhoſoever ſhall be found guilty of the like offenſe, incur the like puniſchment. C.]

Anent the excommunicatioun of papiſts, and ſeparatioun of them fra the ſocietie of Chryſts bodie, after due admonition refuſeing to joyne themſelves to the Kirk; it is concludit, that after they have receivit ſufficient admonitioun according to the ordour eſtabliſhit in particular kirks, and

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they ȝet remaining obſtinate, they ſall be declarit publicklie in all congregations neceſſar to be out of the ſocietie of Chryſtis bodie, and to be excommunicat.

[Follow the heads which the Aſſemblie willed the brethren appointed in the third ſeſſion to preſent to my Lord Regents Grace. C.]

Articles preſentit to my Lord Regent.

Firſt, Let his Grace know the heavie and grievous complaint of the miniſters agains them that ſubſcryve the aſſignatiouns, through the quhilk they are altogether diſſapointit of their ſtipends; for the aſſignatiouns ſtanding, the thrids are not able as they are ordourit to pay the miniſters halfe yeirs ſtipends, and in ſome parts not the quarter therof.

It is thought a thing verie unreſonable, that the papiſts, enemies to Gods Kirk and the commoun wealth, and uthers that labours not in the miniſtrie, ſall poſeſſe friely without impoſitioun the two part of the benefices, and the Kirk quhilk labours ſall not poſſeſſe the thrid. Heirfor the Kirk deſyres that my Lord Regents Grace will take ſick ordour, that the commoun charges might be ſuſtained upon the twa part of the benefices poſſeſſed be the papiſts, ſwa that the thrid may remaine frie to be diſponed be the Kirk. Not that the miniſters deſyres more nor their reaſonable ſtipends, but that the ſuperplus might ſupport the ſchooles and the poore, according to the will of God; and that the collectours of the Kirk ſall yierlie make count thereof, ſo that my Lord Regents Grace and the counſell ſall know the diſpoſitioun of the ſamein.

Item, to ſhew my Lord Regents Grace, that ther is ſundrie benefices vacand, and ſpecially the benefices of the commoun, pertaining to cathedrall and metropolitane kirks: That his Grace wald preſent them to qualified men, be the advyſe of the Kirk, at this tyme the Kirk being aſſemblit; utherwayes the Kirk muſt diſpone them, as falling unto them be reaſon of ſixe monthes paſt, and nane being preſentit; and alſo the Kirks of the Nonryes preſentlie vacand, to preſent qualified men to them, as in ſpeciall to North Berwick.

Item, that my Lord Regents Grace wald give commiſſioun and authoritie to certaine perſons for reformatioun of the colledge of Aberdein, that the corrupt office bearers, regents and uthers be removeit, and uthers

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qualified perſons placed in their roumes, ſo that the youth may be inſtructed in godlines and good lettres.

Item, to deſyre of my Lord Regents Grace, ordour to be taken for ſuppreſſing of vyce, quhereby the plague of God may be withdrawn from this realme; and that his Grace will take diligent care anent the executioun of juſtice agains ſick odious crymes as ſall be givin to his Grace in bill, be the ſuperintendents and commiſſioners of countreyes.

Item, that his Grace wald cauſe ſick as are appointit of the Counſell, conveine with them that are appointit of the Kirk, tuitching the juriſdictioun of the ſame to decide therin, that tyme and place may be condiſcendit upon to that effect, and that it be done before the Parliament.

To advyſe with my Lord Regents Grace and counſell, that in the rowmes and countreyes quher no ſuperintendents are, they may be placed.

Item, to underſtand quhat may be done anent augmenting or appointing miniſters ſtipends, as neid requyres.

Anſuers to the forſaids Articles be my Lord Regents Grace.

At Edinburgh, the viii day of Julij 1568, being on the Secreit Counſell, my Lord Regents Grace, my Lord Sempill, my Lord Glames, the Secretar, Lord Ochiltrie, and my Lord Balmyrrinoch.

Anent the complaint made be the Kirk, for default of payment of the thrids of benefices to the ſuſtentatioun of the Miniſtrie, the perſons addebtit for payment of the ſame being at the horne, and no farther diligence to be uſeit for obtaining of payment; my Lord Regents Grace, with advyſe of the Lords of Secreit Counſell, ordaines the Theſaurar to receive all lettres of horneing, to be preſentit be quhatſoever collectours, either of the lxvi yeirs crope, or of the lxvii, or in tyme comeing, and upon the ſaids lettres of horneing to direct letters to officers of armes, or to the ſhyreffs of the ſhyres, or uther ordinar judges, to uptake the eſcheits of the perſons denunceit to the horne, and of the firſt and readieſt of the ſaids eſcheitts, to pay to the collectors the ſowmes aughtand, for the quhilk the ſaids perſons was put to the horne; ſrielie takeand up the remanent to our ſoveraine Lords uſe, at the leaſt takeand ſa meikle above the valour of the debt auchtand, as will make the expenſſis upon the executioun of the letters in uptakeing the eſcheitt, ſo that no expenſſis in executioun of the

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ſaid letters be made, utherwayes but of the eſcheitt of the perſons denunceit.

All commoun kirks ſall be givin to qualified perſons, miniſters; and als where any prebendaries are foundit upon the fruites of teyndis, as Dumbernie, and Ormeſtoun in Lowthiane, as the prebendarie vakes, to be uptakin be the collectours.

Ordaines ane commiſſioun to be made for reformatioun of the colledge of Aberdein, and for placeing of godlie and qualified perſons maſters therin.

The roll of the committers of the vyces to be preſentit to my Lord Regents Grace, who ſall cauſe the Juſtice Clerk proceide in forme of juſtice agains them.

Item, my Lord Regents Grace ſall give warning to the perſons nameit, in the end of the Parliament, to conveine the viii day of Auguſt.

To the ſaxt heid, forſameikle as ſuperintendents cannot preſentlie be appointit, the Kirk man appoint commiſſioners for the ſelfe ſame purpoſe, as they ſall think good to give commiſſion, quhill the nixt Generall Aſſemblie.

To the vii heid, anent the advyſe for augmenting or appointing of miniſters ſtipends, be advyce of my Lord Regents Grace and counſell, the clerk of regiſter, the Laird of Pitcarro, and Mr Henry Balnaves, were appointed with ſuch of the Kirk as they ſall think mait, or any twa of them.

The Regents Lettre anent the Chaplienries.

We underſtand that ther is ſome chaplenries properlie pertaining to the Kings Majeſties preſentatioun, and ſome at this preſent to be diſponit. We heirfor have thoght good to requyre your opinion how we ſall proceid in that behalfe preſentlie, and in tyme coming, that ignorantlie we doe nothing wherwith the Kirk may juſtlie find fault heirafter.

JAMES REGENT.

Seſſ. 5ª 9 Julii 1568.

[Mr Robert Pont is continued commiſſioner for viſitation of Murray till the next Aſſemblie, notwithſtanding that he deſired to be placed in a particular congregation.

For anſwer to the ſupplication preſented in the Biſhop of Cathneſs

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name, the Aſſemblie giveth commiſſion to the ſaid biſhop for a ȝeir to viſit and plant kirks; and for his ſtipend thought meet that he ſhall have his quhole thrid of the biſhoprick dimitted, providing he ſuſtain miniſters in his own kirks thereupon; the reſt of the miniſters of the diocie to be ſuſtained upon the reſt of the thrids within their bounds, according to their ſtipends already modified.

Mr Knox his commiſſion to viſit the kirks of Kyle, Carrick, and Cunninghame, is continued till the nixt Aſſemblie; and he ordained to begin when he may conveniently, quhich hithertills he could not conveniently get done.

The brethren appointed to decide queſtions, report their deciſions. C.]

Ane reidar was provin and convict for meddling with ane certaine woman, and afterward was verified that the ſame woman had ane huſband liveand when the ſaid reidar medlit with her, bot alledgis he knew not the ſame, and ſho had not bein in the uther mans companie a certain ſpace of befor. At comand of the Kirk, the reidar put away the ſaid woman, who hes bein from him the ſpace of ane yeir paſt or therby. This reidar deſyris to be admittit to his office againe, in reſpect of his bypaſt converſatioun be the ſaid ſpace of ane yeir, and to doe farther what the Kirk will injoyne him. Queritur an debeat. Anſuer, after publick repentance according to the ordour, receive him.

Ane miniſter conveinit be contract with a certaine vicar, and the vicar ſauld his vicarage of the kirk wher the miniſter fervit, in favours of the miniſter; and the miniſter promeiſt againe to pay him a certaine ſmall ſowme at tymes and dayes, for the goodwill of the viccarage, and that in manner of compoſitioun, nomine penſionis: And now ane uther miniſter accuſes this former miniſter befor the Kirk, as ane man unworthie to bruik office, becauſe of the ſaid contract, quhilk he alledges to be ſimoniall; and the uther proteſts that he be convict in pœna talionis, in cace it be not foundin. Queritur primum, an predictus contractus ſit Simonis; et ſi ſit, qua pœna puniendus eſt ille primus miniſter? Secundo, ſi accuſator cadet cauſa, qua pœna eſt ille puniendus qui illud ſcandalum ſuſcitavit? Anſuer, publick repentance for his accuſatioun.

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Seff. 6ta 10 Julij 1568.

It is ſtatute and ordainit be the haill Aſſemblie, that miniſters, exhorters, reidars, or uthers perſons heirafter trouble or moleſt not the Generall Aſſemblie with ſick things as ſuperintendents may and aught decyde in their ſynodall conventiouns; and if any chance to doe heirafter in the contrair, their lettres ſall be rejectit.

Touching the biſchop of Orknayes ſuſpenſioun from the miniſtrie the laſt Aſſemblie, and his obedience and ſubmiſſioun, the Kirk reſtores him againe to the miniſtrie of the word, and els ordaines him one ſome Sonday when he beſt may for weaknes of his body, to make a ſermoun in the kirk of Halierudehous, and in the end therof to confeſſe the offence in marieng the Queine with the Erle Bothwell, and deſyre the Kirk ther preſent for the tyme, to forgive him his offence and ſlander givin be him in doing the foirnamit act. The quhilk he promiſed to doe.

[The Commiſſioner of Galloway is ordained to come to Edinburgh at the time of the nixt Parliament, and ſhew his diligence in the charge committed to him in that province; and to anſwer whether he will awaite on court and counſell, or upon preaching the word and planting kirks. The ſuperintendents of Angus, Fife, and Lothian, were appointed to report his diligence and anſwers to the nixt Aſſemblie; and in the mean tyme Mr John Row was appointed to viſite Galloway.

Mr George Hay being complained upon be Andrew Murrey of Blackbaronie, in name of the parochiners of Edleſtone, quherof he had the perſonage, for that he neither preached the word nor miniſtred the ſacraments to them, was ſharply rebuiked.

Seff. 7ma ... Julij 1568.

Mrs John Willock, John Craig, John Row, Robert Pont, James Gray, Williame Chriſteſone, and David Lindſey, were appointed to reviſe the form and order to be uſed in excommunication, which is penned be Mr Knox at the deſire of the Aſſemblie, and to report their judgment. C.]

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A. D. M.D.LXVIII.

THE Generall Aſſemblie of the Kirk haldin in Edinburgh, in the Neither Counſell-houſe, the 25 of December 1568: In the quhilk were aſſemblit the Superintendents, Miniſters, and Comiſſioners of Townes and Kirks: Thanks being givin, and invocatioun for the aſſiſtance of the Holy Spirit, be Mr Johne Knox, Miniſter of Edinburgh.

Anent the lettre receivit fra my Lord of Glencarne, daitit at Glaſgow the xxi day of December inſtant, bearing in effect the great zeale his Lordſhip beares to the glorie of God, the mantaining of the commoun cauſe, and inſtant neceſſitie of the miniſters of Chryſts evangell, for ſupport wherof his Lordſhip hes put the Kirk in poſſeſſion of the thrids of the biſhoprick of Glaſgow, more regarding the mantaining of the miniſtrie nor his Lordſhips awin profite or commoditie, ſhewing his Lordſhips great deſyre to have been at this preſent Aſſemblie, if the urgent cauſe of the commoun weill now in hands, and als the diſtance of the place now impedit, promiſeing quhatſoever beis in this Aſſemblie godlie concludit on, his Lordſhip will ſett fordward the ſame at the uttermoſt of his power; requeſting alſo for the placeing of Mr Johne Porterfield, now baniſcht from Dumbartan, as in lyke manner for ane godlie learned Ingliſchman, and for their reaſonable ſtipends, off the quhilk his Lordſhip godlie zeale and benefite beſtowit on the Kirk, as alſo the earneſt carefulnes for ſupporting the paſtours of Chryſts flocke. The haill brethren aſſemblit unfainedly praiſes God, and thanks his Lordſhip moſt heartlie, not doubting but the Spirit of the Lord Jeſus Chryſt will ſtrenthen his Lordſhip to the end. As to the twa brethren requeiſtit for be his Lordſhip, the brethren aſſemblit hes givin commiſſion to Mr Andro Hay to place and appoint them according to his conſcience.

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Becauſe of the rarenes of this Aſſemblie, the 25 day of Feberwar nixt was appointit to conveine on, and lettres of advertiſement was ordained to be ſend to every ſuperintendent; whoſe tenour followes.

The haill brethren preſentlie aſſemblit, having conſideratioun not only of the brute and ſeiknes within this brugh, albeit, God be praiſed, ther is no occaſioun of feare therof, bot alſo the great tempeſt and ſtorme of weather thoght to be univerſallie within this realme, as weill in the north as in the ſouth; That throw the feare of the ane, and impediment of the uther, the brethren, ſuperintendents of Angus, Mernes, and Fyffe, miniſters and commiſſioners, and uthers, aſweill of theſe parts as of the weſt and ſouth, might not compeir at this Aſſemblie, according to the appointment therof in the laſt ſeſſion of the Aſſemblie haldin in July laſt, was thoght meit to continue all actiouns quhatſoever unreaſonit and undecydit quhill the 25 day of Februar nixt to come, and then to have the haill brethren forſaids to conveine in Edinburgh be themſelves; or if any thing chances in the meane tyme, wherthrow juſtlie they are impedit, their commiſſioners ſufficientlie authorized, if the ſaid day and place pleaſe not the haill brethren, or maiſt part therof, To reaſon and conclude all actions pertaining to the miniſtrie; to condiſcend and appoint ſome uther day and place, not only convenient for the miniſters, and commiſſioners of townes and kirks; but alſo apt for reſorting of the nobilitie and Privie Counſell, whoſe preſence is verie requiſite for ſetting fordward the affaires of the Kirk; and therfor exhortit the ſaids brethren, Superintendents of Angus and Fyfe, to advertiſe their uther brethren, miniſters, and commiſſioners of townes and kirks, within their bounds reſpective, as was appointit in the laſt Aſſemblie; To convene in Edinburgh the ſaid 25 day of Februar nixt to come, as the brethren of weſt and ſouth ſall be in like manner warnit therto. Given in the Generall Aſſemblie and firſt ſeſſioun therof, ſubſcryvit be the clerk, of the ſame day, yeir, and place forſaids.

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A. D. M.D.LXVIII.

THE General Aſſemblie of the Kirk conveinit in Edinburgh, within the Over Tolbuith thereof, the 25 day of Februar 1568: In the quhilk were aſſemblit the Superintendents, Miniſters, and Commiſſioners of townes, kirks, and univerſities.

And for eſchewing of confuſion in reaſoning among the brethren conveinit preſentlie, with ane voice was preſent choſen Mr David Lindſay, to be Moderator for this preſent Aſſemblie.

[The Aſſembly thought good to aſk at the Regent, if they ſhall enter in proceſs againſt the Earle of Huntly, for removing the collectors of the Kirk in his bounds; and in caſe of diſobedience, excommunicate him, ſeing he outwardly profeſſeth our religion. It was ordained that a miſſive ſhould be written and ſubſcrived be the clerk, to be ſent to Robert Lord Stewart, Commendator of Halyrudhouſe, to aſſiſt Mr James Annand and Mr Gilbert Fouſie, Commiſſioners appointed to viſit and plant kirks in Orkney and Zetland, and to maintain the collector in gathering of the thirds for ſuſtentation of miniſters. C.]

Seſſ. 2da. 26 Februarii 1568.

The haill brethren conveinit and aſſemblit, thoght meit, that ane ſupplicatioun be preſentit to the ſupreame Magiſtrate, anent ſick perſons as hes receivit their benefices in Papiſtrie, payand now allanerlie their thridis,

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thinkand themſelves therthrow diſchargeit of all farther cure in the Kirk; requyreing at his Grace quhat ordour ſall be tane anent ſick perſons.

Item, whether it be lawfull to a miniſter of Gods word having benefice, to ſett takes thereof to any particular perſon within the parochin, or without the ſame; and if ane law ſall be made, that no miniſter ſell his benefice to any particular perſon.

Item, ane ſupplicatioun to be made to the Regents Grace, for reductioun of all benefices given to any perſon contrair the act of Parliament, or Secreit Counſell, grantit in favours of the Kirk, or miniſters of the ſame.

The ſame day Mr Andro Blakhall, miniſter of Ormeſtoune, was accuſit be the Commiſſioners of the towne of Edinburgh, for marrieing of ane callit James Hamilton, indwaller of the towne of Edinburgh, with ane Jenat Huntar in Ormeſtoun, without lettres teſtimoniall of their bands proclaiming; agains the quhilk James the Kirk of Edinburgh had ſomething to ſay for offences committit. After all defences made be the ſaid Mr Andro, the haill Kirk finds him to have broken the act, That na miniſter ſall marie the parochiners of another parochin, without a ſufficient teſtimoniall, and ſo guiltie of the paine conteinit therein: Not the leſs the commiſſioners and miniſters of Edinburgh made ſupplicatioun to the haill Aſſemblie, that the rigour of the act ſould not ſtrike upon him, but that ſome ſatiſfactioun ſould be made to the Kirk of Edinburgh, at the diſcretioun of the haill Kirk. Quhilk ſupplication the haill brethren acceptit, and ordainit that the ſaid Mr Andro ſall compeir before the ſeſſioune of the Kirk of Edinburgh, on Thurſday next to come, and ther confeſſe his awin offence, deſyreing pardon therof, with promiſe never to offend in ſick ſort heirafter, under the paines containit in the ſaid act, to be execute to the rigour therof.

[Mr John Spotſwood, Superintendent of Lothian, was delated for ſlackneſs in viſitation of the kirks, &c. He alleged non-payment of his ſtipend for the three years bypaſt; and that diverſe times he had exhibite to the Juſtice Clerk the names of haynous offenders, but could find no executioun.

Seſſ. 3ª ... March 1568.

Commiſſion and power was given to the Superintendent of Angus, Mr George Hay, miniſter of Ruthven, Mr Robert Pont, Commiſſioner of the

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Kirks in Murrey, and Adam Heriot, miniſter of Aberdein, to require the Earle of Huntly to reſtore the Collectors of the Kirk to their places; and if he refuſe, to ſummond him to compear before them, or any two of them, when and where they ſhall think meet, to anſwer anent the premiſſes; with certification, if he compear not, nor zet reſtoreth the ſaid Collectors to their places, due admonitions preceeding, that they ſhall proceed to the ſentence of excommunicaſion.

The Biſhop of Caithneſs is continued till the next Aſſembly. C.]

Seſſ. 4ª 7 March 1568.

Tenour of a lettre ſent be the Duke of Chattelherault His Grace to the Aſſemblie.

Grace, mercie, and peace from God the Father, throw Jeſus Chryſt, we wiſh you.

Brethren, we thoght it expedient to certifie zou, that being in France, and hearing of the great troubles of this our native countrey, of conſcience and duetie was compellit to come home, deſyreous to help to pacifie the ſame at our utter power, firſt to the glorie of Almightie God, and nixt to the releiſe of the right ſair and lamentabill oppreſt true ſubjects, whoſe innocent blood and innumerable herſchips, oppreſſiouns, wrangis, and ſtouthes that hes bein committit, and daylie is upon them, is to us ſo grievous and intollerable a burden, both in conſcience and honour, that we rather refuſe not only this our native realme, but alſo the haill world, or it were not reformit. And albeit, in my abſence, I have ſuſtainit wrang, I aſſure you, my awin particular, neither in blood, lands, nor geir, is ſo heavie to me as the great danger this haill kingdome ſtands in, if be the grace of Almightie God, and help of the auld and native Scottis blood, it be not foirſein and releivit in tyme. Heiring of your convention, brethren, at this tyme, I have ſend this beirar to zou, to declare this to zou to be our full and determinat mynd, to follow be the grace of God, firſt that the word of God may have frie paſſage through this haill realme, and that the ſacraments may be miniſtrat according to the inſtitution of Chryſt Jeſus his Soune our Saviour; nixt, that everie true ſubject within this realme may

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live without feare upon that quhilk is juſtly his owne, according to Gods calling and commandement. In this cauſe of this preſent diverſitie of our native ſoveraigne and a part of her ſubjects, for the quhilk we are verie heartlie ſorie, and, as the Almightie God knowes, innocent of foirknowledge of any doing, ſo we wold wiſch all uthers to be ſick lyke; our deſyre is, that all hoſtilitie and troubles might be pacified, according to the command of Almightie God, and that the haill eſtates in quyet and peaceable manner may conveine, and firſt calling for his grace and holie ſpirit of righteous judgement, might conſider the ground and beginning of this altogether evill deid, I meane the ſlauchter of the Queins late huſband, quhat hes proceidit therupon ſenſyne, and quhat God wald of reaſon ſould be done therfor; and this to be devyſit either be the haill eſtates, or xxv of the wiſeſt of the nobilitie choſin be the haill, and to be followit be the haill peiple of the realme; wherunto we of the nobilitie, and all that continues under our obedience to the Queine our ſoveraine, ſall for Gods cauſe, and for the commoun weill, be found aggrieable. I avoyde the wrongous judgement may be ſpokin, that we wryte this to 3ou becauſe of proclamatiouns the Erle of Murray hes made in diverſe ſhyres in this realme, to have the peiple in Glaſgow the x day of March. We wold ye ſould conſider we doe it not for that cauſe; for firſt, as ye know, ſen befor thir troubles begouth, we have nevir bein in this countrey befor the 25 day of this inſtant Februar, wherthrow we might have ſhawin our mynd heirin, and all the peiple of Scotland was gatherit together, both for nativnes of blood, and, forgive, my deſerving of my forbeares and myſelfe; there is the ſtrength of the world wher I could wiſch my ſelfe and find me moſt ſure: and if the ſaid Erle of Murray wald take upon him to invade me or any of my freinds or dependers, or any true men of this realme, (as I cannot thinke he will) then treſt I that the nobilitie or peiple will not aſſiſt him therto, whill firſt they find ane cauſe worthie, and be declarit be the ancient lawes of the realme. And thogh we defyre thir conventiounes, and forces of men of warre, to be turned upon the theifis and oppreſſours of the realme, wherunto we ſall be moſt readie with our bodies and geir to doe the devoir of the noble and true men, 3et if he will perſevere to perſew us, we doubt not in God and the juſtnes of our cauſe, to find all the noble and true men ſo favourable to us, that it ſall not be in his power to doe us wrong upon particular malice, altogether without deſerving. Therfor we requyre 3ou, in Gods behalfe, to make ſome of

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our affairs and mynd patent unto the peiple; and if ȝe find nocht on our part ſocht heir and offerit that to our Chriſtian profeſſioun pertainit, duetie requireth that ye come and reaſon the ſame with us, whair ȝe ſall find us reaſonable in all cauſes, according to Gods word and equitie; on whoſe divyne protection we commit ȝou. Of Hamiltoun, the 27 of Februar.

Your Chriſtian brother,

JAMES HAMILTOUN.

After reiding of the ſaid lettre, the brethren being advyſeit therupon, anſuerit to the beirar of the lettre, that the Kirk wald ſend ſome of the brethren to my Lord Regents Grace, to know his pleaſure, whither they ſould write, or ſend ane certaine of the Kirk with commiſſion fra the ſame, to my Lord Dukes Grace, ſhewing and declaring the opinioun of the Kirk touching his Graces lettre.

And for that ſame, the haill Kirk gave commiſſioun to the brethren, Mrs Johne Spotiſwood, Johne Wynrhame, and Johne Row, to paſſe to my Lord Regents Grace, and know his pleaſure concerning the ſaid lettre; and thereafter to paſſe according to his Graces command to my Lord Dukes Grace, and conferre with him, and uthers of the nobilitie whom they find preſent; and be all meanes poſſible to reconceile the nobilitie forſaid to the obedience of the Kings Majeſtie and his Regents, and farther to doe as the ſaid commiſſioun proportis.

Seſſ. 5ta. 8 Marche 1568.

It was concludit be the haill brethren aſſemblit, that ane generall faſting be proclaimit through all Scotland, and to begin in Lowthiane, Fyfe, and ſick uther places as may receive advertiſement, the 18 day of this inſtant. Thereafter the ſuperintendents and commiſſioners of provinces to advertiſe and begin at ſick tymes as they thinke moſt expedient, and to continue fra the firſt day to that day aught dayes incluſive; and in the meane tyme to uſe the exerciſe accuſtomeit in the kirk of the firſt inſtitutioun, and els to uſe ſobrietie in eating and drinking in tyme of the exerciſe. Moreover concludit that all Superintendents and Commiſſioners of provinces

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ſall heirafter inſtitute and uſe the ſame ordour of faſting, ſo oft as juſt occaſioun ſall ſerve and ſall ſeime meit be ther godlie wiſdome, without any further appointment be the Generall Aſſemblie.

[Certain heads were formed, quhich were to be preſented to the Regents Grace and Counſell, and Commiſſioners appointed to preſent the ſame, and crave anſwer; the tenor of quhich heads followeth. C.]

Articles ſent to my Lord Regents Grace.

[That ſuch as have benefices, and doe nothing but pay their thrid, may be compelled to bear farther burden with the Kirk, and for ſupport of the poor; for it ſeemeth altogether unreaſonable, that idle bellies ſhall devour and conſume the patrimony of the Kirk, while the faithfull travellers in the Lords vineyaird ſuffer extreame poverty, and the needy members of Chriſts body are altogether neglected.

That ſuch as have many benefices may be compelled to demitt all except one.

That ordour may be taken that the Collectors may be obeyed, quho are now univerſally diſobeyed, as well be Proteſtants as Papiſts. C.]

That remedie may be provydit agains the oppreſſioun of the Earle of Huntlie, and of uthers, who hes depoſit the Collectours of the Kirk, and tirranouſlie placeit their awin.

That it may pleaſe his Grace and the Secreit Counſell, that the Kirk fra admonitions may paſſe to farther cenſures agains the ſaid Erle, and all uthers guiltie of the lyke oppreſſioun, unto publick excommunication, in cace of his and their contempt.

That the Kirk, without offence of his Majeſtie, may appoint their brother, Mr Robert Pont, quher his labours may be more fruitfull then they can be for this preſent in Murray.

[That remedy may be provided againſt the chopping and changing of benefices, ſelling of the ſame, diminiſhing of the rentals, ſetting of long tacks, in defraud of miniſters, both for the preſent and for the time to come; againſt the quhich, except ſubſtantiall remedy be provided, not only ſhall the Kirk ſuffer damage; but alſo that portion quhich might ſupport the common affairs of the realme, ſhall be craftily ſold.

That order may be taken with ſuch as are already excommunicat, and doe contemn the cenſures, may be puniſhed. C.]

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That ordour may be takin, that ſick odious crymes as this day provocks Gods diſpleaſure againſt the haill land, may be puniſhit as God hes commandit. If his Grace ſend us to the Juſtice Clerk, experience hes teachit us ſufficiently quhat he hes done in any ſick matters.

The Kirk requyres, that anes the juriſdictioun therof may be ſeparate fra that quhilk is civill.

That the queſtioun of adulterie may once take effect; at leaſt a deciſion in that heid, quhither the adulterer ſall be admitted to the benefite of mariage or not.

Seſſ. 6a ... March 1568.

[It was ordained, that the letter directed to the Lords who have made defection from the Kings Majeſtie, after it be returned from the Regents Grace, ſhall be regiſtrat amongſt the acts of the Kirk, and that it be printed.

Anent proceeding be degrees in ſchools to the degree of a Doctor of Divinity; it was ordained, that the brethren of the Colledges of Sanct Andrews conveen and form ſuch order as they ſhall think meet; and that they preſent the ſame to the nixt Aſſembly to be reviſed and conſidered, that the Aſſembly may eek or diminiſh as they ſhall think good, and that thereafter the order allowed be eſtabliſhed. C.]

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A. D. M.D.LXIX.

THE Generall Aſſemblie of the Kirk, conveinit in Edinburgh and Nether Counſell houſe, the 5 day of July 1569: In the quhilk were preſent the Superintendents, Miniſters, Barrons, and Commiſſioners of the Townes and Kirks.

For eſchewing of confuſion, quhilk might chance in reaſoning amang the brethren preſentlie conveinit, with ane voyce was choſen for Moderator, William Chriſteſone miniſter of Dundie, for this conventioun; quho being choſen, acceptit the office on him.

[Read and allowed the decreet and ſentence given be the Lord Regents Grace, his Counſell, and the Superintendent of Angus and Mernes, againſt the Principall and uther Members of Old Aberdein; the tenour quherof followeth.

We, John Areſkine, Superintendent of Angus and Mernes, and Commiſſioner within the bounds of the Shirefdome of Aberdein and Bamf, and the Miniſters and Commiſſioners within the ſaid bounds, being aſſembled in the High Kirk of New Aberdein, willing to reform abuſes within the ſaid bounds, and in ſpeciall, in the Colledge of Old Aberdein, we directed ſummons againſt Mr Alexander Anderſone, principall, Mr Andrew Galloway, ſub principall, Mr Andrew Anderſone, Thomas Owſten, and Duncan Norie, regents of the ſaids Colledge, to compear before us, that trial may be taken if they were found in religioun; quhich being found, they were to be ſuffered to continue in their offices; otherwiſe, if they

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were found corrupt with Popery and errors, not agreeable to the truth, as it is profeſſed faithfully within the Kirk of Scotland, to be depoſed, and inhibited to teach and inſtruct the youth, privately or publickly, in that colledge, or any uther ſchool or colledge within the realme; that uthers well qualified may be placed in their room, able to bring up the youth in the true faith, right worſhip of God, and good letters. In this mean time, my Lord Regents Grace called before his Grace and Counſell the foreſaid perſons, being delated to his Grace as very obſtinate Papiſts, enemies to the truth; and required them, as profeſſors of Chriſts religion, to ſubſcrive the articles following: We, whoſe names are under-written, doe ratify and approve, from our very hearts, the Confeſſion of Faith, together with all uther acts concerning our religion, given forth in the Parliaments holden at Edinburgh, the 24 day of Auguſt 1560, and the 15 day of December 1567; and join ourſelves as members of the true kirk of Chriſt, whoſe viſible face is deſcrived in the ſaids acts; and ſhall in time coming be participant of the ſacraments, now moſt faithfully and publickly miniſtred in the ſaid kirk; and ſubmitt us to the juriſdiction and diſcipline thereof. This was done the penult day of June, and not finding in them obedience, referred them to the laſt of June: the quhilk day they compeared before his Grace and the Counſell; but moſt obſtinately contemning his Graces moſt godly admonitions, refuſed to ſubſcrive the ſaids articles: Wherefore, my Lord Regents Grace and Lords of Privie Counſell, with deliberation, pronounced the decreet and ſentence quhich followeth: Apud Aberdein, ultimo Junii 1569. The quhich day Mr Alexander Anderſone, principall, Mr Alexander Galloway, ſub principall, Mr Andrew Anderſone, Mr Thomas Owſten, Mr Duncan Norie, regents of the Colledge of Aberdein, being called in preſence of my Lord Regents Grace and Lords of Privie Counſell, being deſired, be their ſubſcriptions, to give atteſtation and plain profeſſion of the faith, with all uther acts made concerning Chriſtian religion, in the Parliaments holden at Edinburgh the 24 day of Auguſt 1560, and the 15 day of December in the year of God 1567; the ſaids perſons refuſed to give their ſaid profeſſion be their hand writtes: In reſpect quherof, the ſaid Lord Regents Grace, with advice of the ſaids Lords, have found the ſaids perſons dangerous, and unmeet to have the cure of the inſtruction of the youth, for the perril of inconveniences both to body and ſoul: Wherefore, and in reſpect of the act of Parliament, proporting that none be permitted, nor admitted, to have charge or cure in

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ſchools and univerſities, nor inſtruct the youth, privately nor publickly, but ſuch as ſhall be tryed be the ſuperintendents and viſitors of the kirks; As for the ſaids perſons denieng to join to the true kirk of God, according to the ſaid Confeſſion of Faith, my Lord Regents Grace, with advice of the ſaids Lords, declareth and decerneth, that the ſaids perſons are, and ſhall be deprived, and preſently are deprived, ipſo facto, of all inſtruction of the youth within this realme, and of all honours, dignities, functions, preeminence, faculties, and priviledge within the ſaid colledge; and ordaineth letters to be direct, charging them to remove, deſiſt and ceaſe therefra; to the effect that uther qualified perſons, of ſound doctrine and ſufficient literature, may be placed therein for inſtruction of the youth in times coming. The foreſaid decreet my Lord Regents Grace intimated to us, with the proceſs uſed againſt the ſaids perſons, the quhich we did moſt heartely allow, and gave to God thanks therefore; and becauſe the errors and obſtinacy of the foreſaids perſons were ſufficiently declared unto us, be their reſuſal to ſubſcrive the godly articles foreſaids, as the act of Counſell teſtifieth, we thought it not expedient to proceed farther in triall of them: And therefore in preſence of Mr Alexander Anderſone, principall, and Mr Andrew Anderſone, regent, who only compeared, we pronounced the ſentence againſt them, conform to the decreet of the Counſell, as followeth.—I John Areſkine, Superintendent of Angus and Mernes, having commiſſion of the Kirk to viſite the Shireffdome of Aberdein and Bamf, be the advice of Counſell, and conſent of the Miniſters, Elders, and Commiſſioners of Kirks preſent, decern, conclude, and for final ſentence pronounce, that Mr Alexander Anderſone, ſometime principall, Mr Alexander Galloway, ſometime ſub principall, Mr Andrew Anderſone, Thomas Owſten, and Duncan Norie, ſometime regents in the Colledge of Old Aberdein, are not to be reputed as members of this kirk; and therefore exclude them, and every one of them, from uſing any office or juriſdiction in the Colledge of Old Aberdein; and inhibite them, and every one of them, to teach publickly or privately, in time coming, in that colledge, or any uther part within this realme; and ordain them to remove forth of the ſame colledge with all diligence, that uther godly and well qualified perſons may be placed therein, for upbringing of the youth in the fear of God and good letters. This our ſentence pronounced, we ordain to be publiſhed and intimated to the ſaids perſons, and to the con-

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gregation of New and Old Aberdein, publickly the nixt Sunday, the 8 of July nixt 1569.

In the triall of the ſuperintendents, the Superintendent of Lothian and Fife was delated for ſlackneſs in viſitation, and reparation of the fabricks of kirks.

Mr John Kerſwell, Superintendent of Argile, was reproved for accepting the Biſhoprick of the Iſles, without making the Aſſembly forſeen; and for riding at, and aſſiſting of the Parliament holden by the Queen, after the murther of the King. C.]

Seſſ. 2a 6 July 1569.

Anent the defence givin in the Aſſemblie haldin in December 1567, be Mr Johne Craig, ane of the miniſters of Edinburgh, touching the proclaiming of the Queine and the Erle of Bothwall; the ſaid defence beeing publickly and preſentlie red, the haill points therin conteinit be the haill Aſſemblie maturelie conſiderit; it was found be the haill brethren, that he had done the duetie of ane faithfull miniſter, and had committit nothing ſlanderous to ſick as hes righteous judgement, in reſpect of the defence forſaid, quhilk was found both godlie and ſufficient for declaratioun of his innocencie theranent; quhilk the haill Aſſemblie declarit and teſtifiet, and ordainit the ſamen to be notified to all and ſundrie.

[Some adulterous and inceſtuous perſons excommunicated for their offences, compeared, partly to relieve their ſureties, partly to know quhat the Aſſembly would injoin them. The Aſſembly ordained every one of them to repair to their ſuperintendents, or to the miniſters, elders and deacons of their own kirks reſpective, and to receive injunctions from them how they ſhall beheave themſelves till the nixt Aſſembly; and that then they bring a teſtimoniall from their miniſters of their behaviour to the Aſſembly, and that they preſent themſelves to the nixt Aſſembly, bare headed and bare footed, in linnen cloaths, humbly requeſting the Aſſembly for farther injunctions for their offenſes, and reſtitution to the boſome of the Kirk. C.]

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Seſſ. 3ª 7 July 1569.

Anent the puniſhment of adulterers, murtherers, and uthers criminall and capitall crymes quhilk deſerves death: Whither the ſupreame magiſtrate aught firſt to declare his mynd of his ſatiſfactioun and admiſſioun; or if the Kirk ſall receive them to repentance befor the declaratioun of the ſaid magiſtrates will.

Anent perſons guiltie of capitall crymes, found be ſuperintendents, miniſters, elders or deacons of reformed kirks, to compeir to this Aſſemblie, or any uther Aſſemblie heirafter, and the ſaids perſons found not compeirand; the Kirk ordaines the ſaids ſuperintendents or miniſters to proceid to excommunicatioun againſt them; and to notifie to the ſupreame magiſtrate ſo many as for their offences are already excommunicate, that farther puniſhment may be execute.

[Commiſſion was given to the Superintendents of Angus, Fife, Lothian, Argile, Mr Knox, Mr David Lindſay, Robert Fairly of Braid, William Douglaſs of Whittingham, the Lairds of Keir, Lundie, Mr Robert Hammilton, miniſter at Sanct Andrews, Thomas Wallace, commiſſioner from Sanct Andrews, Mr John Row, miniſter of Saint Johnſtoun, Patrick Murray, commiſſioner of Saint Johnſtoun, the Laird of Barganie, Mr Andrew Hay, miniſter of Ranfrew, Mr David Weems, miniſter of Glaſgow, Mr William Chriſtefon, Mr Gilbert Gardin, James Baron, burgeſs of Edinburgh, David Ramſay, burgeſs of Dundie, to preſent to the Regent and to the nobility aſſembled at Sanct Johnſton, the 25 of this inſtant July, the articles following, with their anſwers. C.]

Certaine of the Articles preſented to my Lord Regent.

[In primis, touching the heads quhich my Lord Regents Grace ſent to the Aſſembly with Mr John Wood; the Aſſembly hath given their full power to their commiſſioners ſent preſently to his Grace, to reſolve fully thereupon, conform to the anſwers given to the ſaid Mr John Wood.

Item, the Aſſembly deſireth the act made in this Generall Aſſembly, concerning the aſſignation of the miniſters ſtipends, be ratified and approved with letters thereupon, as is contained in the ſame.

Item, that the manſes and gleebs may be given to the miniſters for their

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reſidence at their kirks; and that the law hereupon may be made clear, that it may have execution; and, in like manner, concerning the reparation of kirks.

Item, that all that have benefices be compelled to pay their thrids, ſo that payment be made of the years bygone, as well as to come. C.]

That ordour may be takin for ſuſtentatioun of the poore, and that ane portioun of the teinds be appointit for that effect; and in lyke manner, that the pure labourers of the ground may have intromiſſioun to lead their awin teinds, upon reaſonable compoſitioun.

[Item, that ſome auditors of the Exchaqre be appointed to conveen with the auditors of the kirk, to hear the collectors of the kirk their compt.

Item, that immunitie may be granted to the commiſſioners of the Kirk ſent to Generall Aſſemblies, that during the time of the Generall Aſſemblies they be not moleſted in civil actions.

Item, that ſuperintendents may be planted through the whole realme, as are already in ſome parts.

Item, that commiſſioners may be appointed throughout the whole realme, to cognoſce in cauſes of divorcements.

Item, that ſuch as have benefices, and doe nothing but pay their thrids, be compelled to bear ſome further burthen with the Kirk, and chiefly for ſupport of the poor. C.]

Item, that ſick as hes plurality of benefices, may be compellit to denunce all ſave one.

That remedie may be provydit for chapping and changing of benefices, and ſelling of the ſame, diminiſhing of the rentall, of ſetting of lang takis in defraude of the kirk; and that all taks ſett ſen the aſſumptioun of the thrids, may be diſſannullit, with expreſſe inhibitioun againſt the ſame in tyme coming.

[Item, that order may be taken, that ſuch odious crimes as this day procure Gods heavie diſpleaſure againſt the whole land, may be puniſhed as God commandeth. C.]

Item, that the juriſdictioune of the Kirk may be ſeparate fra that quhilk is civill.

[Item, that the queſtion anent adulterers may be once decided, as well concerning the puniſhment of the adulterers, as quhither the adulterer ſhall be admitted to the benefite of marriage again or not. C.]

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Anſwers given by my Lord Regents Grace, with advice of the Lords of Secret Counſell, and others of the Nobility, aſſembled in the Convention at Perth, the penult day of July.

Anent the act made in the Generall Aſſembly, concerning the aſſignation of miniſters ſtipends, my Lord Regents Grace, with advice of the Lords of Secret Counſell, and others of the Nobility and Eſtates, aſſembled at this preſent Convention, ordains the aſſignation to be put in form, and thereafter to be preſented to the Exchaqre, to be ſeen and conſidered be the Lords auditors thereof; to the effect, that the order being found good and reaſonable be them, and ſuch of the kirk as ſhall happen to be preſent with them, proviſions may thereafter be made, and expede thereupon, according to the meaning of the ſaid act; providing that commiſſioners or procurators of the Kirk, at the ſaid Exchaqre, preſent the names of the whole kirks in Scotland, and how many miniſters are preſently thereat; to the end it may be known quhat kirks are preſently provided, and quhat deſolate and deſtitute of the miniſtry; and alſo ſhew a perfect order how they would the miniſters ſhould be paid, be the thrids or otherwiſe; or have all the writts in readineſs, quhich may clear doubts, and further reſolution.

Anent the article deſireing that the manſes and gleebs may be given to the miniſters for their reſidence at kirks, and that the law thereupon may be made clear, that it may take execution, and likewiſe concerning the reparation of kirks, my Lord Regents Grace, with advice foreſaid, promiſeth, that he ſhall cauſe four, three, or two godly, diſcreet, and wiſe men, within the bounds of every ſuperintendents charge, paſs with the ſuperintendent or commiſſioner within the countrey or province, and viſite the manſes and gleebs of all kirks within the ſame; to the effect they may report to my Lord Regents Grace, and Lords foreſaid, quhat is the particular quantity of every manſe and gleeb, be quhom the ſame is preſently occupied and inhabited, and be quhat right and title; as alſo how much they think ſufficient for the lodging and commodity of every miniſter and reader; and, if they may, to appoint the miniſter or reader with the poſſeſſor of the manſe and gleeb; and as they doe, to report; upon whoſe report his Grace ſhall hold hand to ſee the kirk and miniſters preſently put in poſſeſſion of ſo meikle of the ſaid manſes and gleebs as ſhall be

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thought neceſſar, be the ſaid ſuperintendents and viſiters, for the lodging and commodity of the miniſter or reader, as ſaid is, where there is no title to impede the ſame; and in caſe the ſame title, by law, be reduceable, or may be declared null, his Grace ſhall hold hand to ſee juſtice miniſtred thereupon with expedition: and where the matter ſtandeth in terms, that the preſent poſſeſſors cannot be removed be order of law, without ane explanation of the act of Parliament, his Grace ſhall travell to have the ſame act explained and made clear at the nixt Parliament; to the effect it may take execution in all times hereafter: and toward the reparation of the kirks, his Grace underſtandeth that there are acts of the Secret Counſell ſufficient in that behalf already, if the ſame ſhall be put in execution.

Anent the article deſireing ſuperintendents may be planted throughout the whole realme, my Lord Regents Grace is content that ſo be done, the perſons being godly and learned.

Anent the article deſireing that commiſſioners may be planted throughout the whole realme, to cognoſce in cauſe of divorcements, my Lord Regents Grace promiſeth to take ſufficient order in that behalf, be ane of the Lords of Seſſion, at the nixt ſitting down thereof.

Anent the article deſireing that remedy may be provided againſt chopping and changing of benefices, and ſelling of the ſame, diminiſhing of the rentals, ſetting of long tacks in defraud of the Kirk, and that all tacks ſett ſince the aſſumption of the thrids may be diſannulled, with expreſs inhibition againſt the ſame in time coming, my Lord Regents Grace ordaineth the ſaid article to be well dilated and extended, and preſented to the nixt Parliament, quhere the ſame ſhall have a good anſwer and reſolution, quhich preſently cannot be done, through default of a ſpeciall and expreſs law againſt ſuch abuſes.

Anent the article deſireing that the juriſdiction of the Kirk be ſeparate from that quhich is civill, C.] my Lord Regents Grace ordaines the perſons nominate in the act of Parliament to conveine the tyme of the Checker, and defyne and limitat the ſaid juriſdictioun, according to the word of God, and the ſaid act of Parliament. Extractum ex libris actorum Secreti Conſilii,

ALEXANDER HAY.

[The Earle of Argile, by letter, required the Aſſembly to cauſe his wife adhere to him: The Aſſembly ordained the Superintendent of Fife

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to admoniſh her, and report her anſwer to the commiſſioners appointed to be at the Convention at Sanct Johnſton. C.]

The tenour of the Act made for Aſſignatioun of Stipends.

Forſameikle as this long tyme bygane the miniſters hes bein univerſallie defraudit and poſtponit of their ſtipends; and now at laſt it hath pleaſed God to move the hearts of the ſuperiour power and eſtates of this realme, to grant the thrids of the haill benefices within this realme to the miniſters of Chryſts religioun, be plaine and publick parliament, as at mair length is conteinit in the ſaid parliament haldin at Edinburgh in the moneth of December 1567; in reſpect wherof, the Kirk preſentlie conveinit finds it moſt neidfull and expedient, that all ſuperintendents, miniſters, exhorters and reidars, ſall have their awin particular aſſignatiouns appointed to them, to receive the ſame fra the hands of the labourers, takſmen, or uthers addebtit in payment of the ſaids thrids: And therfor the Kirk in ane voyce, be this act, gives their full power and commiſſioun to every ſuperintendent and commiſſioner of kirks within their awin bounds, that they and every ane of them, be advyſe and conſent of the commiſſioners of provinces appointit in the ſynodall conventiouns, give and make particular aſſignatiouns to every miniſter, exhorter and reidar within their awin bounds, as they ſall find the ſame moſt expedient, under the ſuperintendents ſubſcriptioun and miniſters forſaids, with all clauſes neidfull and expedient therto; quhilk ſall be als ſufficient as if the ſame were ſped be the Generall Aſſemblie of the Kirk: And as concerning the ſuperintendents and commiſſioners of kirks, their proviſion and aſſignatiouns to be made be the Generall Aſſemblie of the Kirk, and to the effect this act may take full perfectioun, the Aſſemblie preſent requyres moſt humblie my Lord Regents Grace and Secreit Counſell to interpone their authoritie heirto; that the aſſignatiouns forſaids, generall and particular, as they ſall be preſentit to his Grace, may be ſped in forme of proviſioun ad vitam, under the privie ſeale, with ordinance therupon, that lettres may be direct at every mans inſtance under all the foure formes, as is grantit to the poſſeſſours of the twa pairt; and als to the ſame end, that his Grace and his Counſell forſaid wold diſcerne the thrids of the benefices forſaids within this realme, to be ſeparatit and devydit reallie, and with effect, fra the 2 pairt; ſo that the Kirk may intromett with the thrid part, as the old poſſeſſours does

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with the two part; the ſuperplus alwayes to be comptabill to the commoun affairs, according to the act of Parliament.

[And for accompliſhment thereof, the Aſſembly giveth commiſſion to the forſaid brethren appointed to goe to the convention at Sanct Johnſton with the articles before regiſtred, that, among the reſt, they may obtain the confirmation of this act.

Mr Alexander Gordon, ſome time commiſſioner of Galloway, was ordained to come to the nixt Aſſembly, and in the mean time inhibited to exerce any function in the kirk, conform to the act made againſt him in the Generall Aſſembly holden in July 1568, in quhich he was diſcharged to exerce the office of a commiſſioner in that country, or take up the thrids quhich he had for that office, in caſe he compeared not before the laſt Seſſion of the ſaid Aſſembly.

Seſſ. 4ª.

Mr Andrew Hay, commiſſioner of Cliddiſdaill, and Mr Robert Pont, commiſſioner of Murrey, deſired to be diſburthened of their commiſſions, quherein they had travelled diverſe years bygone.

David Hume, miniſter at Aldhamſtocks, proteſted, that if it happened that Mr Thomas Hepburne were received to publick repentance for his offenſe committed, &c. the ſame ſhould no wiſe be prejudiciall to the gift he had from the ſupreame magiſtrat of Aldhamſtocks, through forefalture of Mr Thomas; quhich proteſtation was admitted. C.]

Seſſ. 5ª. 9 July 1569.

[Mr John Wood preſented the Regents letter, and according to the credit given him, proponed certain heads to the Aſſembly, quhereunto anſwers were given. C.]

My Lord Regents Lettre to the Aſſemblie.

After our moſt heartlie commendatiouns, ſeing we are not able to be preſent at the Aſſemblie now approacheand, as our intentioun was, we

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thoght it convenient breiflie to give 3ou ſignificatioun of our meaning in wryte; of the quhilk we pray 3ou take good conſideration, and accordinglie to give your advertiſement. 3e are not ignorant, as we ſuppoſe, quhat hes bein the eſtate of the kirk of God within this realme, both befor we accepted the burdein of regment and ſenſyne; how firſt the thrids of benefices were grantit, and the miniſtrie therby partly releivit, and ſuſtainit in ſick fort, that nothing inlaikit that our travells could procure. The firſt ordour, indeid, was diverſe wayes interrupted and brokin, bot chieflie in that 3eir when we were exylit in Ingland, quherthrow the haill miniſters that yeir were fruſtrate of their living. Shortlie the eſtate of governement altering at Gods pleaſure, and the King, our ſoveraine Lord, being inaugurate with the crowne of this kingdome, the firſt thing that we were carefull of, was that the true religioun might be eſtabliſhed, and the miniſters of the evangell made certaine of their livings and ſuſtentatioun in tyme comeing. 3e know at the Parliament we were moſt willing that the kirk ſould have been put in full poſſeſſioun of the proper patrimonie; and toward the thrids, we exped in our travell, and inlaikit only a conſent to the diſſolution of the prelacies; quherunto althogh we were earneſtly bent, 3et the eſtates delayit, and wold not aggrie therunto. And ſen that tyme to this houre, we truſt 3e will affirme, that we have pretermittit nothing that may advance the religioun, and put the profeſſours therof in ſuretie; quheranent the haill and only inlake hes bein in the civill troubles that God hes ſufferit the countrey to be plaguit with. Now the matter being, after ſo great rage, brocht to ſome ſtay and quyetnes, it was convenient that we returne wher matters left, and preaſe to reduce them to the eſtate they ſtood in. Ane thing we man call to remembrance, that in ſick tyme as we travellit in the parliament, to cauſe the eſtates to grie that the thrids ſould be diſcernit to pertaine to the miniſtrie, they plainly opponit them to us, in reſpect of the firſt act, alledgand, that with the ſuſtentatioun of the miniſtrie, ther was alſo regard to be had to the ſupport of the prince in ſuſtaining of the publick charges; quhilks if they had not ſome releiſe be that meanes, the revenew of the Crowne being ſa diminiſhit, and the ordinar charges come to ſick greatnes, on force they wald be burdenit with exactiouns; and ſo this dangerous argument compellit us to promitt to the eſtates, that we wald take upon us, the act being grantit to the Kirk, they ſould ſatiſfie and aggrie to any thing ſould be thoght reaſonable for ſupporting of the publick charges of the Prince; and

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according to this, the commiſſioner deput for the affaires of the Kirk, aggriet to certaine aſſignatiouns of the thrids, for ſupporting of the King, and us bearing authoritie: Quhilk ordour had bein ſufficient for the haill, if the civill trouble had not occurrit; ȝet the diſſobedience growand ſo univerſallie, we are content to ſuſtaine our part of the inlake and loſs for the tyme bypaſt. But becauſe ther hes bein murmure and grudge for that thing aſſignit to the Kings houſe, and ours, and ſome uther neidfull things in the ſtate, as that therby the miniſtrie were fruſtrate of their appointed ſtipendis; ſome communicatioun was had at St Androes, and nothing yet concludit quhill the Generall Aſſemblie of the Kirk, quhilk now moves us to wryte to you in this forme; prayand you rightly to conſider the neceſſitie of the cauſe, and how the ſame hes proceidit fra the beginning; haveing reſpect that the Kirk will be verie evill obeyit without the Kings authoritie and power; and that now the propertie of the crowne is not able to ſuſtaine the ordinarie charges; how in the beginning the thrids had not bein grantit, if the neceſſitie of the Prince had not bein ane of the cheife cauſes; and at the parliament, the eſtates, as we befor have wrytin, ſtack to conſent that the haill thrids ſould be declarit to pertaine to the miniſtrie, quhill firſt we tooke in hand that they being made without condition in favours of the Kirk, the ſame wald againe condiſcend to ſa meikle as wald be ſufficient to the ſupport of the publick affaires, in foorth ſetting of the Kings authoritie; and that therfor ȝe will now aggrie, and condiſcend to ane certaine and ſpeciall aſſignatioun of it, that ſall be imployit to this uſe, the quantitie wherof diverſe of ȝour ſelves, and the beirar Mr Johne Wood our ſervand, can informe you, that after ye may diſtribute to every man having charge in the Kirk of God his ſtipend, according to the condition of the place he ſerves in, at your wiſdoms diſcretioun. Heirby all confuſioun, that lang hes troublit the eſtate of the Kirk toward the ſtipends ſall be avoydit, and ſome ſpeciall proviſion being made for ſuſtaining of the publick charges, we may the better hald hand to ſie the Kirk obeyit of that wheron the miniſters ſould live, as we [have bein willing hertofor, and as we believe your collectors] ſall report, that during our travells in the north countrey, they have found our effectuous good will and travell in their furtherance. Farther we man put you in mynd breiflie of ane matter, that occurrit at our late being in Elgyn. Ane Nicoll Sudderland in Forres, was put to the knowledge of ane aſſyſe for inceſt, and with him the woman. The aſſyſe hes convict him of the

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fault. But the queſtion is, whither the ſame be inceſt or not; ſa that we behoovit to delay the executioun, quhill we behoovit to have your reſolution at this Aſſemblie. The caſe is, that the woman was harlot of befor to the ſaid Nicolls mother brother. Mr Robert Pont can informe you more amplie, to whoſe ſufficiencie we remitt the reſt.

Moreover, at our coming at Aberdeen, ther came ane nameit Porterfeild, miniſter, provydit of befor to the vicarage of Ardroſſand, and requyrit alſo of us, that he might have the viccarage of Stevinſone, ſeing both was ane matter meane enough to ſuſtaine him, and becauſe the kirks were neir, he might diſcharge the cure of both, we haveing him commendit be diverſe great men to the ſame; bot thoght good to advertiſe 3ou, that this preparative induce not evill example and corruptioun; alwayes in cace ſick things occurre heirafter, let us underſtand what 3e wald have us to doe. As in lyke manner towards the chaplenries that fall happin to vaike, wheranent becauſe ther is no certaine ordour preſcryvit, ſome confuſion ſtands; ſome deſyreand them for lyfetyme, ſome for infants that are of the ſchooles, and ſome for vii yeirs, we are ſometyme preaſit to receive or confirme aſſignatiouns, or demiſſioun of benefices, the preparative wherof appeirs to bring with it corruptioun; and ſo we wold be reſolvit how to proceid befor our coming fra Fyfe. And ſenſyne we have bein verie willing to doe juſtice on all perſons ſuſpectit of witchcraft, as alſo upon adulterers, inceſtuous perſons, and abuſers of the ſacrament, wherin we could not have ſick expeditioun, as we would have wiſchit, becauſe we had no uther probabilitie, wherby to try and convict them, bot ane generall delation of names; the perſons ſuſpect not being for the moſt part tryit, and convict be ordour of the Kirk of befoir; this hindrit many things, quhilk utherwayes might have bein done; and therfor we pray you appoint and preſcryve, how the judgement of the Kirk may proceid and be execute againſt all ſick treſpaſſors, befor complaint be made to us; that when we come to the countrey, we may cauſe execute the law, and be releivit of the tryall of inquiſition heiranent. We thoght expedient to give you this to advertiſement; and ſo remitts the haill to your care and diligence: committs 3ou in the protection of the eternal God. Aberdeene the laſt day of Junij 1569. Your aſſurit friend,

JAMES REGENT.

[Farther ye ſhall credit the bearer towards the buſineſs of my Lord Huntly and the Abbot of Deir.]

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[Thir are the heads proponed be Mr John Wood, in my Lord Regents Graces name, to the Kirk conveined the 5 day of July, at Edinburgh 1569, with the reſolutions and anſwers thereto.

Articles and their Anſuers.

In primis, That a ſufficient ſume be taken of the whole thrids of benefices and rents now in your hand, be the laſt act of Parliament, and particular preſentations ſince that time, and granted for certain years to my Lord Regent now preſent for ſupport of the publick charges; and that the ſame may be aſſigned in place and room commodious.

It is anſwered be the Kirk, that upon juſt conſideration of my Lord Regents Graces neceſſity in the publick charges he preſently beareth, they have conſented, and conſenteth, that the whole ſoumes of [victual] and money craved and deſired by his Grace, in the laſt Convention of ſome of the Lords for that effect in Sanct Andrews, in the moneth of May laſt was, be granted and allowed, and readily anſwered be the Collectors, when the ſame ſhall be appointed and aſſigned; and for the more commodious aſſignation thereof, ordains ane ample and ſufficient commiſſion to be made to the Commiſſioners that ſhall paſs from this preſent Aſſembly to the Convention to be holden at Perth, the 25 day of this inſtant, givand and grantand full power to the ſaids Commiſſioners, or moſt part of them, to aſſigne the foreſaids ſumes of victuall and money upon ſuch benefices and thrids as ſhall be moſt commodious for the Kirk, and the Regents behove, with conſent of his Grace; and the ſame aſſignation to ſtand ay and whill the Kirk ſhall take further order herewith: Providing alwiſe my Lord Regent ſhall not paſs, nor ſolicite the Kirk to diſpone, any farther of their rents, nor confirm any other penſion granted furth of the ſaids benefices, or thrids quhatſomever, farther then law will compell the Kirk to doe. C.]

To the queſtioun, Whither the cryme before ſpecified, committed be Nicoll Sudderland, be inceſt or not. Anſuerit: The Kirk finds it inceſt, and ſo hes reſolvit.

[Item, ane ſpeciall anſwer anent the interpretation of double benefices be Mr John Porterfield, miniſter at Dumbartan. Anſwered and concluded: That no ſuch gifts ſhall be in tyme coming; and that which is given is diſſolved already. C.]

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Item, anent the chaplenries that ſall happin to vaik. Anſuerit: The Kirk aggries, that they be diſponit to the colledges, or to the pure, conforme to the act of Parliament, and no utherwayes.

[Item, ane order to be taine anent the demiſſion or reſignation of benefices. Anſwered: The Kirk underſtands that all reſignations and demiſſion of benefices muſt be made in the hands of the Kirk; the patronages alwiſe reſerved to the lawful patrons.

Item, to know what actions ye receive, to be inquired of be the miniſtry; and that the delations be ſo amply taine as ane dittay may be ſufficiently formed, that the civil ſword may follow. Anſwered: It is referred to the convention at Sanct Johnſton.

Item, anent the deſires for my Lord Huntly and Deir. Anſwer: Becauſe of my Lord Regents Graces requeſt, the Kirk would gladly doe that thing quhich lay in their power; but be reaſon of the rigorous handling of my Lord Huntly, in the great neceſſity of the Kirk in theſe parts, and of the great poverty quhich the poor brether ſuſtaineth in theſe bounds, the Kirk can in no wiſe remitt the thing that pertains to the poor miniſters: And likewiſe of my Lord of Deir, who deburſed his money to the enemies of God, to perſecute his ſervants and baniſh them out of the realme.

Item, what they will doe anent my Lord Regents ſupplication in favours of George Robſone of Dundie. Anſwered: The Kirk aggreeth hereunto, in reſpect of many circumſtances; providing likewiſe this be not a preparative to any others.

Item, a declaration, how my Lord Regents anſwers pleaſe them, anent the precept granted to Mr James Harvie. Anſwered: The diſcharge of the writting, given to the ſaid Mr James and his complices, pleaſeth the Kirk very well, and thanketh his Grace thereof.

The Aſſembly appointed the Superintendent of Lothian, Mr Knox, Mr John Craig, and Mr David Lindſay, to reviſe the acts of the Generall Aſſemblies, and note the acts quhich concern the common affairs of ſuperintendents and miniſters, and cauſe the ſamen to be printed; and alſo the form of excommunication, with the inauguration of the ſuperintendents and miniſters.

It was ordained, that ſuch as come to the Aſſembly, repaire in due time, before the beginning of the ſame; otherwiſe to proceed againſt them. C.]

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A. D. M.D.LXIX.

[THE Generall Aſſembly, quhich ſhould have been holden in Stirling, the 25 day of February, was continued to the firſt of March, to be holden at Edinburgh; becauſe none conveened but the Superintendent of Lothian, John Duncanſon, Miniſter to the Kings Majeſties houſe, Patrick Gilleſpie, Miniſter at Sanct Ninian, John Clapperton, Exhorter at Livingſton, be reaſon of the murther of the Regent, and for other cauſes. C.]

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A. D. M.D.LXIX.

THE General Aſſemblie being appointit the 25 of Februar, in Stirling, be reaſon of troubles fallin out be the ſlaughtir of my Lord Regents Grace, was continuit till the firſt of Marche, and begun in Edinburgh the ſaid day, 1569, in the Tolbuith therof; quher were preſent the Nobilitie, Superintendents, Commiſſioners to plant kirks, Miniſters, Commiſſiouners of kirks and townes. The ſermoun and prayers made be William Chriſteſone Miniſter of Dundie, laſt Moderator.

Seſſ. 1ª

[Mr Knox, Mrs John Craig, John Row, William Chriſteſon, were appointed to conſult upon the order of proceeding in actions to be treated in the Aſſembly, which they did, as followeth. C.]

Ordour to proceid in the Aſſemblies.

Firſt, that he who was Moderatour in the laſt Aſſemblie, ſall make the prayer and exhortatioun in the Aſſemblie therafter following; quhilk endit, the Kirk proceidit to the chooſing ane new Moderatour, who ſall continue and make prayers and exhortatioun, as ſaid is, and ſo furth fra Aſſemblie to Aſſemblie.

Secondly, the tryall of Superintendents, and Commiſſioners for planting of kirks, with the accuſatiouns, if any beis, be Superintendents, Commiſſioners, or any uther, againſt miniſters.

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Thridlie, the penitents remittit to their Superintendents or Miniſters, at the laſt Aſſemblie, to be receivit according to the ordour appointit be the ſaid laſt Aſſemblie; and els to give injunctiouns to uthers notorious criminall perſons, that either are ſummoned be the Superintendents, Commiſſioners of the Kirk, or of their awin frie will, moveit be haittreit of their cryme, preſents themſelves to the Generall Aſſemblie.

Fourthlie, to diſcerne upon ſick things as either was undecydit at the preceidand Aſſemblie, and remitted to this; or els referritt hitherto be the Lords of Seſſioun, auditors of Checker, or uther wayes.

[In the fifth place, collectors ſhall be called to give their accompts of their diligence, namely of the horners, that thereanent remedy may be provided; and alſo that they may be diſcharged, or continued, as occaſion ſhall ſerve.

In the ſixt place, the complaints of countries for want of Superintendents ſhall be heard, and provided for, according to the neceſſity of the countrey which requireth; and likewiſe appellations interponed from the Synodall Aſſemblies to the Generall, ſhall be received.

In the ſeventh place, queſtions proponed in the firſt and ſecond day of the Aſſembly, ſhall be decided be ſuch as ſhall be appointed thereto.

In the eight place, all bills and complaints ſhall be read and anſwered. C.]

Seſſ. 2ª 2 Marche 1569.

The haill brethren conveint, in ane voyce, for eſchewing of confuſioun in reaſoning, chooſe Mr Johne Craig, ane of the Miniſters of Edinburgh, to be moderator in this Aſſemblie, and to make the prayers and ſupplicatioun in the beginning of the nixt Aſſemblie, according to the ordour appointit.

[The ſuperintendent of Fife complained upon Mr George Leſly, Miniſter of Kilconquhar, for not making reſidence at his kirk, but travelling in diverſe parts of the country at his pleaſure: It was ordained that he be admoniſhed, and in caſe of diſobedience, ſuſpended or depoſed.

Mr Andrew Hay, Commiſſioner of Cliddiſdaill, complained upon David Hammilton, Exhorter at the kirk of Monkland, alledging that he had committed double fornication, and refuſed to underly correction: The Aſ-

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ſembly ordained to proceed to excommunication againſt him, and to depoſe him from all function in the Kirk. C.]

Anent the complaint givin in be Thomas Smith in Uchiltrie, agains Mr Johne Inglis, miniſter in Uchiltrie, for debarring of the ſaid Thomas fra the Lords table, becauſe he removeit ane ſhoe of ane horſe upon ane Sunday afternoon in Ochiltrie, wher neither preaching nor publick prayers was: After long reaſoning, the haill Kirk ordainit the ſaid Thomas to be receivit to the participatioun of the Lords table, and uther benefites of the Kirk hereafter, notwithſtanding of the allegit fault above mentionat.

[Some adulterers and inceſtuous perſons compeared in linnen cloaths, bareheaded and barefooted, with teſtimonials of their honeſt behaviour during the time of their publick repentance ſince the laſt Aſſembly, according to the injunctions given them. They requeſted for farther injunctions, if it was the will of the Aſſembly that they might be received to the ſociety of the faithfull. The Aſſembly ordained the ſaid perſons, and every one of them, and all others, who hereafter ſhall happen to fulfill their injunctions, C.] and hes not ſtubronlie contemnit the admonitions of the Kirk, nor ſufferit the ſentence of excommunication for their offences, ſall make publick repentance in ſackcloath at their awin kirks, bare heidit and bare foottit, thrie ſeverall days of preaching; and after the ſaid thrid day, to be receivit in the ſociety of the kirk in their awin cloaths. The uthers that has bein excommunicat for their offences, ſall preſent themſelves in ſackcloath, bareheidit and barefoottit, ſaxe preaching dayes; and the laſt after ſermon, to be receivit in their awin cloathes, as ſaid is.

[John Adam of Mauchlin, excommunicat for preſenting his child to be baptized be a popiſh prieſt, in papiſticall manner, preſented himſelf. He, together with other adulterers and inceſtuous perſons, were admitted to publick repentance, conform to the order ſett down in the ſecond ſeſſion of the Aſſembly, holden in July 1569.

John Flint, Vicar penſioner in Aitton, ſummoned to compear for abuſing the ſacraments, compeared; and was ordained to abſtain from all function within the Kirk, till the ſuperintendent of Lothian tried his ability and learning. C.]

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Seſſio 3ª 3 March 1569.

Anent homicides, inceſtuous perſons, and adulterers, not fugitive from the lawes, bot continuallie ſuteing to be receivit be the Kirk to publick repentance: After long reaſoning, with mature deliberatioun, the haill brethren preſentlie aſſemblit concluded, that all ſick perſons humblie ſuiting ſall be receivit to give the ſignes of their repentance in their awin kirks, according to the ordour appointed befor, at quhilk tyme the miniſters ſall publicklie notifie their crymes, that thereby the civill magiſtrates may know the crymes, and pretend no ignorance thereof.

[The particular injunctions to be uſed be every particular kirk, touching the trial of ſigns of repentance of theſe that are admitted, or hereafter ſhall be admitted be the Generall Aſſembly to publick repentance, for ſlaughter, inceſt, adultery, or other haineous crimes, are theſe, to wit: C.] If they be excommunicat for their offences, they ſall ſtand bareheidit, at the kirk doore every preaching day, betwixt the aſſemblies, ſecludit from prayers before and after ſermoun; and then entir in the kirk, and ſitt in the publick place bareheidit all the tyme of the ſermons, and depart before the latter prayer.

The uther that are not excommunicat, ſall be placed in the publick place, wher they may be knowin from the reſt of the peiple, bareheidit the tyme of the ſermons; the miniſter remembring them in his prayer in the tyme after preaching; all the ſaids perſons to bring their miniſters teſtimonialls to the next Aſſemblie, of their behaviour in the meane tyme, according to the act made thereupon be the Kirk, in the 2 ſeſſioun haldin the 7 of July 1569.

Anent the complaint of the parochiners of Kilmenie, for want of a miniſter to preach Gods word, and miniſter the ſacraments: The haill Kirk concludes, that in reſpect of the number of qualified and learned men of the auld Colledge, able to preach, and alſo the neirnes of the ſaid Colledge to the ſaid kirk, that ſome of them ſall either preach and miniſter the ſacraments to the peiple, or els injoyne uthers to doe the ſame, quhill farder ordour be tane.

[In reſpect that James Hunter, armorar in Edinburgh, was reconceiled with his firſt wife, and cohabited with her till her lifes end; the Aſſembly judgeth him not to be ſubject to the act made againſt adulterers ſeparated

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for adultery; but that he may marry again, providing he ſatiſfy the Kirk of Edinburgh, for breaking the publick order of the Kirk at his ſecond marriage.

Seſſ. 4ª

Certain ſcandalous perſons were admitted to publick repentance, conform to the injunctions made in July 1569, and uniform order ſett down in the third ſeſſion of this Aſſembly.

Seſſ. 5ª

It was ordained, That all collectors be warned to compear at all Generall Aſſemblies, which are to be holden hereafter, to know the mind of the Aſſembly anent their offices, and other affairs pertaining to them and the Kirk, under the pain of deprivation from their offices; and that this advertiſement be given to them be any Superintendent, Commiſſioner of kirk, or Miniſter.

The Superintendent of Fife, Mrs John Row, David Lindſay, and James Nicolſon, were appointed to conveen with the Clerk of Regiſter, and conſult for taking order, touching ſuch things as were referred to the Aſſembly, be Lords auditors of the Checker; and chiefly anent the diminiſhing of the rentals of the thrids.

As for the ſelling of victuals from year to year, The Aſſembly thinketh it expedient that every Superintendent or Commiſſioner, where there is any, and that failing, the nixt Superintendent or Commiſſioner adjacent, with the aſſiſtance of ſuch aſſeſſors as they ſhall think good to aſſume and chooſe to them, ſhall appoint the prices yearly of victuals, and notify the ſamen to collectors in ſuch quiet manner as they ſhall think expedient.

The Superintendent of Fife, Mr David Lindſay, and Mr John Row, were ordained to conveen with the Advocats of the Kirk, and James Nicolſone, and adviſe upon the matters refferred, be the Lords auditors of the Checker, to the Aſſembly; and to give their judgements therein, which, with the doubts they ſhall find, they ſhall report to the Aſſembly.

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Seff. 6a.

It was concluded, That Superintendents, Commiſſioners of kirks, preſent and to come, with the Miniſters of their provinces, or moſt part therof, in their ſynodall conventions, ſhall chooſe and depoſe their collectors, as occaſion ſhall ſerve.

The Aſſembly appointed every Superintendent and Commiſſioner, in their own provinces, with the aſſiſtance of ſo many Miniſters as they ſhall chooſe, to take particular aſſumpts of the thrids of all benefices not aſſumed; and to report the ſamen to the next Generall Aſſembly.

The heads of the accuſation, and chief offenſes, laid to Adam biſhop of Orknay his charge, which the Aſſembly deſired to be redreſſed.

In primis, The ſaid Adam being called to the ſaid office of Biſhoprick, and promoted to the profite therof, and ſpecially in Chriſts Kirk, received the charge of preaching of the evangell; to be alſo Commiſſioner in Orknay, quhich he accepted, and executed for a certain ſpace thereafter: quhile now of late he hath made a ſimoniacall change of the ſame with the Abbacie of Halyrudhouſe; yet bruiking the name, and ſtiled Biſhop of the ſame, contrar to all laws both of God and man made againſt ſimony.

Secondly, He hath demitted the ſaid office and cure, in and unto the hands of ane unqualified perſon, without conſent and licence aſked and granted be the Aſſembly, leaving the flock deſtitute without ſheepherd; whereby not only ignorance is increaſed, but alſo moſt abundantly all vice and horrible crimes are there committed, as the number of ſix hundreth perſons, convict of inceſt, adultery, and fornication in Zetland, beareth witneſs: and hath ſimpliciter left the office of preaching, giving himſelf dayly to the exerciſe of the office of a temporall Judge, as a Lord of the Seſſion, which requireth the whole man, and ſo rightly no wiſe can exerciſe both; and ſtileth himſelf with Roman titles, as Reverend Father in God, which pertaineth to no Miniſters of Chriſt Jeſus, nor is given them in Scriptures.

Thridly, To the great hurt and defraud of the Kirk, hath both all the thrids of the ſaid abbacie of Halyrudhouſe from the ſaid Lord Robert and his bairnes, alledged juſt poſſeſſors of the ſame, at leaſt made a ſimonia-

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call change thereof with the rents of Orknay for the ſame, without conſent or knowledge of the Aſſembly, as diverſe contracts made thereupon bear witneſs; and he hath ſett 19 years tacks of the lands of Brughton to his wife.

Fourthly, That he neither planteth kirks deſtitute of miniſters in either of the ſaid rooms; neither ſufficiently provideth nor ſuſtaineth the ſmall number planted before his entry; ſo that except haſty remedy be found, for meer poverty the poor miniſters moſt depart from the ſaids places, with dolour of their hearts, and alſo the flocks committed to their charge, as in particular the kirks of Liberton and Sanct Cuthbert can bear witneſs; and the remanent wholly deſtitute: alſo two kirks, to the number of ſix hundreth ſoules, that never heard the word twice preached, nor received the ſacraments, ſince the Reformatione, viz. Fawkirke and Whytkirke, among all the reſt of the number of 27, or thereby, in Lothian, and Galloway.

Fiftly, All the ſaid kirks, for the moſt part, wherein Chriſts evangell may be preached, are decayed, and made, ſome ſheepfolds, and ſome ſo ruinous, that none darre enter into them for fear of falling; ſpecially Halrudhouſe, although the biſhop of Sanct Andrews, in time of papiſtry, ſequeſtrate the whole rents of the ſaid abbacy, becauſe only the glaſſen windows were not holden up and repaired.

Sixtly, The ſaid Adam hath accuſed, both publickly and privately, the Miniſters of Edinburgh, as perſons that have paſt the bounds of Gods word in their publick teaching, &c.: In token whereof he hath abſolutely abſented himſelf from all preaching in the ſaid kirk, and receiving of the ſacraments, howbeit he hath had his dwelling place within the ſaid burgh, at certain and diverſe times ſenſyne.

Many moe might be laid to his charge; but the Aſſembly truſting the former being amended, the reſt will the better be redreſſed, doth ſuperſeed.

Patrick Galbraith at Garvett, was ordained to compear, the firſt Teuſday of Aprile nixt to come, before the Superintendent of Lothian, in the Synodall convention of his province in Edinburgh, there to be excommunicate be him. C.]

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Seff. 7a 9 of March 1569.

Anent Robert Lickprivick his ſupplicatioun for ſupport of the Kirk in his office of printing: The Kirk, having reſpect to his povertie, the great expenſſes he hes made in buying of printing yrnes, and the great zeale and love he beares to ſerve the Kirk at all tymes, hes aſſignit to him fiftie punds, to be yearlie payit out of the thrids of the Kirk, be the collectours underwrytin, viz. be the Collectour of Lowthiane x lb. the Collectour of Fyfe x lb. the Collectour of Angus x lb.; quhilk fowme the auditors of the comptis for the Kirk ſall thankfullie allow to every ane of them.

[Some brethren were appointed to conveen apart, and decide queſtions.

Seff. 8a 10 of March 1569.

It was ordained, That every Superintendent, or Commiſſioner for the time, ſhall modifie the ſtipends, augment or diminiſh the ſame, as occaſione ſhall ſerve, with the aſſiſtance of the brethren preſently nominated; providing they report the ſaid ſtipends, the Miniſters names hereafter to be planted, the augmentation or diminition of the ſtipends, to the regiſter of the Miniſters and their ſtipends; noting the time of appointing of the ſtipend, the entry of every miniſter, and time of augmentation of the ſtipend, to the effect that they and collectours may have the extract, and rolls thereof. C.]

It is ſtatute and ordainit, That no miniſter provydit, or that heirafter ſall be provydit to benefices, ſett in taks, any manner of way, their gleibs and manſes, neither yet any part of the fruites and emoluments therof, in diminutioun of their rentalls; under the paine of depryving fra their benefice for ever: diſcerning alſo the taks ſett in manner forſaid, to be null and of no effect, as done be him that hes no power.

Seff. 9a

[Andrew Lord Uchiltrie, George Hume laird of Spott, Robert Fairlie laird of Braid, William Lawder laird of Hautone, Andrew Ker

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laird of Fadounſide, Mr John Spotſwood, Superintendent of Lothian, Mr Knox, Mrs George Hay, David Lindſay, John Row, were appointed to conveen before the Nobility preſently aſſembled in Edinburgh, or whenſoever they ſhall aſſemble hereafter, till the nixt Aſſembly; and in their name preſent ſome articles, require and receive anſwers, and report the ſame to the nixt Aſſembly.

Seſſ. 10a.

Mr Patrick Adamſone ſhewing that he was appointed, be the advice of the brethren then conveenit in Edinburgh, to await on Court and preach to my Lord Regents Grace, and for that purpoſe was modified to him five hundreth merks be year, and had ſerved three moneths upon his own expence; therefore requeſted the brethren to appoint where he ſhall receive payment of his ſtipend pro tanto; which was done.

The Biſhop of Orknay preſented his anſwers to the offenſes layed to his charge.

To the firſt he anſwered, That it is true, that in the 58 year of God, before the reformation of religione, he was, according to the order then obſerved, provided to the Biſhoprick of Orknay; and when idolatry and ſuperſtitione was ſuppreſſed, he ſuppreſſed the ſame alſo in his bounds, preached the word, adminiſtred the ſacraments, planted miniſters in Orknay and Zetland, diſponed benefices, and gave ſtipends out of his rents to miniſters, exhorters and readers; and when he was a Commiſſioner, viſited all the kirkes of Orknay and Zetland tuice, to the hazard of his life in dangerous ſtormes on the ſeas, whereby he contracted ſickneſs to the great danger of his life; till he was ſuſpended from the exerciſe of the ſaid commiſſion, in the yeare 1567, be reaſone of his infirmity, and ſickneſs contracted through the air of the countrey, and travells in time of tempeſt: at what time he deſired ſome other place to travell in, which was then thought reaſonable.

As for demitting of his office, He denyed that ever he demitted to my Lord Robert the ſame, or any part thereof: but that the ſaid Lord Robert violently intruded himſelf in his whole living, with bloodſhed and hurt of his ſervants; and after he had craved Juſtice, his and his ſervants

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lives were ſought in the very eyes of Juſtice in Edinburgh; and then was he conſtrained, for meer neceſſity, to take the Abbacie of Halyrudhouſe, be advice of ſundry godly men; becauſe then we could not have the occaſione of a Generall Aſſembly.

As to the ſecond, He denyed that he had abandoned abſolutely the preaching of the word, or that he intended ſo to doe; but was to beſtow his travells in preaching, as the ability of his body, and ſickneſs whereunto he was ſubject, would ſuffer or permitt. He confeſſed, that, in the 1563 year of God, he was required by the Kings mother, to be a Lord of the Seſſione, which he accepted, with advice of godly and learned men, compting it not repugnant or contrariouſe to any good order as yet eſtabliſhed in the Kirke; and alledged that diverſe others having benefices, have done the like, and are not condemned for ſo doing; yea, he doubted not to affirm, that as the office itſelf was allowable, ſo it ſhould be profitable for the Kirke, that many preachers of the evangell were placed in the Seſſione. Item, ſeeing ſuperintendents and miniſters are, and may be temporall judges in other inferior offices, and no fault layed to their charge, he wondered why it ſhould be counted a fault in him only.

As for the latter part of the ſecond article, he anſwered thus, With pardon and reverence of the Aſſembly, I may declare, that I never delighted in ſuch a ſtile, nor deſired any ſuch arrogant title; for I acknowledge myſelf to be a worm of the earth, not worthy any reverence; giving and attributing to my God only, all honour, glory, and reverence, with all humble ſubmiſſion.

To the third article he anſwered, That it is true, that he had ſett ane aſſedation of the fruicts of the biſhoprick of Orknay to the ſaid Lord Robert, for the yearly payment of certaine dutys contained in his tacke; and albeit the ſaid Lord Robert, for payment of a part of the yearly duty forſaid, aſſigned to him a certaine penſione, which his bairnes had aſſigned unto them, of the fruicts of the Abbacy of Halyrudhouſe; of which penſion they had confirmation be act of Parliament, and were in real poſſeſſion without impediment diverſe years; with proviſion alſo, that in caſe it ſhall happen, the penſion be evicted from them, the ſaid Lord Robert ſhall pay to him ſo mickle ſilver, victuall, and goods of the fruits of the Biſhoprick of Orknay, as extend to the juſt valuation of the ſaid penſion; which thing is done, and permitted univerſally throughout the whole realme, that any eccleſiaſticall perſon may ſett a part of his benefice in tack for the

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yearly payment of a juſt duety, and ſo there is nothing bought or ſold in defraud of miniſters: but be the contrar, he being troubled be vertue of letters of horning, at the inſtance of the collectors of the Kirk, and alſo at the inſtance of the ſaid Lord Roberts bairnes, charging him to make double payment, he meaned himſelf to the Lords of Seſſion, deſiring both the parties to be called before them, and to decide who had juſt title; which action was yet depending before the Lords to his great hurt, for in the mean time his whole living is ſequeſtrate: and in caſe the collectors of the Kirk evict, he will get recourſe and payment of the fruicts of the biſhoprick; and that he has made no other plea or impediment be himſelf, or be his procurators.

To the firſt part of fourth article, he anſwered, That he had no commiſſion to plant or viſite, ſince his entry to the ſaid Abbacy; but if they would give him a conjunct charge with the ſuperintendent of Lothian, he ſhould ſo travell that they ſhould be ſatiſfied.

As to the ſecond part, he anſwered, That the whole thrids of the benefice of Halyrudhouſe, are to be paid forth, either to the collectors of the Kirk, or to the Lord Roberts bairnes: and attour the moſt part of the fruicts of the two part of the ſaid Abbacy is aſſigned and given forth in penſions to diverſe perſons, before his proviſion; and yet he hath payed to the miniſters their ſtipends, as they were wont to receive forth of the ſaid Abbacy, and hath augmented ſome miniſters ſtipends: and alſo, if the plea depending before the Lords were decided, would be as liberall in the ſuſtentation of miniſters as become him, having reſpect to the rent of the benefice; and withall deſiring, that ſo many miniſters, ſome times Channons of the place, having a great part of the living aſſigned out of certain kirks now altogether deſtituted, might be charged to ſerve rather in the ſaids kirks, then in others, as other Channons doe in other kirks, whereof they receive their living; and promiſed, if ſo were done, to augment their ſtipends largely.

As to the fifth he anſwered, He was but of late come to the benefice; and the moſt part of theſe kirks were pulled down be ſome greedy perſons, at the firſt beginning of the Reformatione, which hath never been helped or repaired ſenſyne; and few of them may be repaired be his ſmall portion of the living; but ſpecially the Abbay Church of Halyrudhouſe, which hath been, theſe 20 years bygane, ruinous through decay of two principall pillars, ſo that none were aſſured under it; and two thouſand pounds beſtowed upon it, would not be ſufficient to eaſe men to the hearing of the

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word, and miniſtration of the ſacraments. But with their conſent, and help of ane eſtabliſhed authority, he was purpoſed to provide the means, that the ſuperfluous ruinous parts, to wit, the Queir and Croce Kirk, might be diſponed be faithfull men, to repair the remanent ſufficiently; and that he had alſo repaired the kirks of Sanct Cuthberts and Liberton, that they were not in good caſe theſe 20 years bygane: And farther, that there was ane order to be uſed for reparation of kirks, whereunto the parochiners were obliged, as well as he; and quhen they concurred, his ſupport ſhould not be inlaiking.

As to the laſt, He denyed that he ſpake any thing, but that which he ſpake in the laſt Aſſembly in their own audience. God forbid that he ſhould be a detracter of Gods miniſters, for any privie injuries done to him, as he alleged none: if there were any, he would rather burie them, then hinder the progreſs of the evangell.

As for abſenting himſelf from their preaching, he anſwered, He only keeped his own pariſh kirke, where he received the ſacraments.

Mr Knox, Mr John Craig, Mr David Lindſay, were appointed to try the ſufficiency of theſe anſwers, and to report to the nixt Aſſembly.

Mr David Lindſay was appointed to preſent certain articles to the Lords of Seſſion, and to require their anſwers: The articles and anſwers follow:

Firſt, The thrids are decerned to pertain to the Miniſters, be a law and act of Parliament paſt *in rem judicatam*, and have received execution of a decreit and ſentence of liquidat ſumes and victualls; againſt the which your Lordſhips, by your dayly practice, uſe to give no ſuſpenſion, without conſignation of the ſumes decerned: and notwithſtanding, there are ſo many ſuſpenſions of this execution for the thrids given, that both your Lordſhips are troubled with the proceſſe, and the poor miniſters defrauded of that quheron they ſhould live; for remeed quherof, the Aſſembly moſt humbly requireth your Lordſhips to take ſuch order herein, as that no ſuſpenſions be given for the thrids in times coming, except the complainers deſiring the ſuſpenſion, make payment to the collector of ſo meikle as is out of queſtion, if it ſtand in difference of the queſtion of the rentals; and conſigne in the Clerke of Regiſters hands, ſo much more, as ſhall happen to be decerned, or find caution in Edinburgh reſponſable therefor; And likewiſe conſigne, or find caution, if he claimeth the whole thrid to be diſcharged, for the whole: And that none of thir paſs upon light cauſes,

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but be read in preſence of your whole Lordſhips, before the bills be paſt and delivered. 16 Martii 1569.

Item, That no letters paſt upon your Lordſhips decreets given upon new proviſiones or ſummons warrand all parties to hear letters given, except there be ſpeciall proviſione and exceptione made of the thrid therein; or els that the complainer have ſufficient teſtimony that the thrid is allowed in his ſtipend, or remitted be ſome good order, and ſhew the Kirks admiſſion and ordinance thereupon: And for obſerving thereof, that your Lordſhips would take ſuch order with your own Clerks of the Seſſion, that no lettres paſs by the proviſion foreſaid; and that the cautions be given, or ſufficiently notified in writt, to the Clerk of the Collectory, or to the procurators of the kirks, to the effect that the Kirk may call therefor, when time is. Agreed. Agreed.

Item, That your Lordſhips will give letters, at the inſtance of the procurators of the Kirk, to charge all beneficed perſons that as yet have not given in their rentalls, to produce and give in the ſame, at ane certain day to be appointed be your Lordſhips therto; with certification, if they failzie, your Lordſhips will direct letters to uptake and bring in the whole fruicts of their benefices, to the uſe of the miniſtry, conform to the firſt act and ordonance made for uplifting of the thrids, and, in the mean time, that ye would give command to the Commiſſars to ſequeſtrat the whole fruicts of their benefices forſaids, not given up in rentall, as ſaid is; with letters of full inhibition be your own deliverance, that none anſwer, obey, nor make payment of any part of the fruicts of the ſaids benefices, unto the time the poſſeſſors pretending right therto, give in ſufficient rentalls thereof; and either give a particular aſſumption, or caution for the thrids, as the Kirk will ſtand content with. Agreed.

Item, That according to your Lordſhips order already taken anent the calling of the Kirks actions, and promiſe made thereupon, that ye will cauſe the ſame to be obſerved; to wit, that every day of the Seſſion, ye will call one of the Kirks actions to be given in be the Soliciter and procurators of the Kirk, as weil of the particular as generall cauſes therof. And becauſe it is well known to your Lordſhips, that fra ye enter in other cauſes, it is not poſſible to you to get any other called; therefore your Lordſhips will condeſcend and ordain the ſaid actions of the Kirke, to be dayly called firſt before any other, ſo that it be not deferred to the end; wherethrough both the actions lye

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uncalled, and your Lordſhips are troubled and ſlandered, that ye doe nothing in the Kirks cauſes.

Anſwer: The Lords will doe ſuch diligence to ſatiſfie this article, as they may goodly.

GEORGIUS GIBSON, Scriba Conſilij,
de mandato Dominorum Conſilij.

The brethren appointed to reſolve queſtions, exhibite their reſolutiones, as followeth:

Queſtion, C.] Quhat ſall be done to them that will not forbeare the companie of excommunicat perſons. Anſwer: After due admonitiouns, to be excommunicat, except they forbeare.

[Q. If it ſhall be thought good, that excommunicatione ſhall be orderly fulminat againſt the wicked murtherer of my Lord Regents Grace; and againſt all theſe that had any part, art, or counſell therein, or yet were maintainers of the ſame. A. The perſone committer is to be excommunicated in all notable tounes; and the excommunicatione is to be notified in paroch kirks, where there is order; and the reſt are to be proceeded againſt, as they may be lawfully convict.

Q. Seeing the preſent eſtate of the Kirk, What is now preſently to be deſired at the Counſell and Nobilitie, for the weale of the ſame; and if ratificatione is to be craved of ſuch things as my Lord Regents Grace lately granted to the Kirk. A. Ratificatione of things done by my Lord Regents Grace is to be required; and farther as the Aſſembly ſhall think good.

Q. If baptiſme is to be miniſtred to the children of the excommunicat. C.] The children of excommunicat perſons to be receivit be a faithfull member of the Kirk to baptiſme.

Q. [If two parties be contracted, the bannes proclaimed, and the day appointed for ſolemnizatione of marriage before the miniſter and congregation, the woman refuſe allutterly to take the man, Whither ſhe ſhall be compelled or not; and what ſhall be the miniſters part in this caſe. A. The matter is to be referred to the Commiſars; and the woman to be puniſhed upon trying of her cauſe, according to the order of the Kirke.

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Q. What order ſhall be taken anent abbacies now vacant, and not provided. A. It is to be meaned to the Lords by way of ſupplicatione, that the tithes may be employed to the ſuſtentatione of the miniſtry.

Q. Shall the ſingle woman committing adultery with a married man, be equallie puniſhed with the man, and compear before the Generall Aſſembly. C.] A. A ſingle woman committing adulterie with a married man, ſould be equallie puniſhit [with the man, and receive injunctions of the Generall Aſſembly.

Q. A woman divorced for adultery committed be her, contracting marriage with another, beareth a child to him, and deſireth to proceed to the ſolemnizatione of marriage, Whither ſhall the man be permitted to marrie this woman. A. Let her preſent herſelf to the Aſſembly to be puniſhed; and then let her ſupplicatione be given in, and ſhe ſhall have ane anſwer.

Q. What ſhall be done,] where a man repudiats his wyfe and bairnes without a cauſe, and no wayes will receive her againe. A. The miniſter ſould labour for reconciliation; and the partie offendit complaine to the Judge competent.

Q. A promiſe of marriage made befor the reidars and elders in a reformit Kirk, the parties contractit compeirs before the miniſter and ſeſſioun, requires the bands to be proclamit; quhilk beand done, the Kirk finds carnall copulatioun to have followit be confeſſioun of both the parties: When the Kirk requyres them to proceid to the ſolemnizatioun, the woman refuſes. A. Admoniſche the partie refuſeand to ſolemnize the marriage; or els to get a decreit from the Judge competent, that they ſould not marrie, under the paine of excommunicatioun.

Q. Perſons, after promiſe of marriage [made before witneſſes,] and proclamation of the bands, deſyreand to be frie from the bands, no carnall copulation following. A. They ſould be frie, ſi res eſt integra, and their inconſtancie puniſhit.

Q. [Two men haveing lyen with two ſiſters, If any of them may

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marrie the daughter of the other man begotten upon another woman, and not upon any of the two ſiſters before mentioned. A. No impediment found.

Q. If a Miniſter having a benefice in one ſhire, and another in another ſhire, may be choſen to the thride office, viz. to be a Superintendent, or Commiſſioner. A. Not, except the particular kirks be provided according to the time.

Q. In reſpect of the great offences committed in diſturbing of the common peace, and breaking the unity which God hath made betwixt the realms, and that be theſe who have avowed themſelves profeſſors of the word of God, who have not allanerly often times committed the forſaid offences, but ſtill to aggrege the ſame, have received and maintain the rebells of England, deſpiſing herein both God, and the preſent authority; The miniſter where ſuch enormities are committed, requireth your judgement, What becometh him to doe, and how he ſhall uſe himſelf towards them for ſafety of his conſcience, and avoiding of ſlander. A. Let him reprove vice, without exceptione of perſones, conforme to Gods word prudently.

Q. If any perſone having already of the Kirk a ſufficient living, and after called to the office of a Superintendent or Commiſſioner, ſhall have a new ſtipende appointed, or rather be content of the old living, if it be ſufficient for his office; or at moſt to receive ſuch augmentation as the burthen of the office requireth. A. Let this be conſidered be their diſcretione, at their electione.

Q. A man having two benefices in ſundry ſhires, and under ſundry ſuperintendents, ſerving for one of them, If he ſhall have thrid of the other diſcharged. A. Becauſe this queſtione hath been moved before, and, as we underſtand, reſolved, we remitt the anſwere to the ſight of the ſame in the Regiſter.

Q. If it be lawfull for Miniſters to leave their vocation, and uſe uther offices and charges within the commoun weill. C.] A. It is not leiſum for Miniſters to leave their vocation, and uſe uther offices and charges

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within the commoun weill, without conſent of the Kirk; and, in tymes coming, it is neidfull, that all that ſerves in the miniſtrie be publicklie inaugurate.

[Q. A certaine man, whoſe wife was baniſhed of Dundie ten years ſince, for certaine crimes committed be her, hath begotten a child upon another woman about two years ſince, not knowing whither his wife was living or dead; for which offenſe he was puniſhed be the magiſtrat; and hath made diligent inquiry, according to the injunctiones given to him, to learne whither ſhe was living or dead, and can come to no certaine knowledge thereof, as his teſtimonialls bear witneſs: He requireth now, Whither the Aſſembly will injoyne him any farther ſatiſfactione for his crime, and whither he may have liberty to marry. A. Edicts are to be ſerved for farther ſearching of the woman; and farther puniſhment for proceeding in marriage is to be ſuſpended to the nixt Generall Aſſembly.

Seſſ. 11a.

The Commiſſioners appointed in the laſt Aſſembly to give anſwer to my Lord Regents Graces deſires, produced the ſaid anſwers with his Graces promiſes contained therein; together with the aſſignation of money, and victualls to the Kings Majeſties houſe, the Regents Graces, and others; both ſubſcrived with his hand.

Firſt, They condeſcended, That the aſſignations before granted for the Kings Majeſties houſe, and other common affairs, ſtand in form as before; and that during the Kirks will.

Item, That the ſumes appointed for my Lord Regents own houſe, extending to five thouſand merks or thereby, which the collector ſhould have paid, ſhall be paid.

Becauſe thir premiſes are granted, my Lord Regent promiſeth faithfully not to charge the Kirk with any farther deuty of the thrids; but if a ſuperplus remain, the Miniſters being paid, it ſhall be beſtowed to ſuch Godly uſes, as the Aſſembly thinketh beſt, be his Graces advice.

And, to the effect that good payment may be gotten of the whole, my Lord Regents Grace promiſeth to travell to the uttermoſt of his power,

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that obedience may be given; and that the laws made againſt diſobedients ſhall be executed.

Farther, His Grace giveth power to chooſe, or depoſe, if need be, their own collectors, and to call them to accompt, when they think good; without prejudice to the generall compt yearly to be made in the Excheker.

In like manner, His Grace condeſcendeth to the particular aſſignation of Miniſters, where they may be conveniently gotten, without prejudging the aſſignations before granted, and the ſumes granted to my Lord Regents Graces houſe; providing the foreſaids aſſignations, ipſo facto, be diſolved, whenſoever the aſſigney obtaineth any benefice ſufficient for his ſtipend, or that the Aſſembly ſhall think otherwiſe.

Item, That Miniſters, and Superintendents ſtipends ſhall be modified, and appointed be ſuch as the Generall Aſſembly, having warned his Grace and Counſell thereunto, ſhall appoint. C.]

JAMES REGENT.

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A. D. M.D.LXX.

THE Generall Aſſemblie of the Kirk, haldin at Edinburgh, in the Nether Counſell Houſe, the fyft day of Julij 1570; quher were aſſemblit the Nobilitie, Barronis, Superintendents, Commiſſioners of Kirks, Provinces, Townes, and Miniſters. The exhortatioun and prayer made be Mr Johne Craig.

The haill brethren preſentlie conveinit chooſe Mr Robert Pont, Moderatour for this Aſſemblie.

Seſſ. 1ª

[The Superintendent of Fife was delated for negligence in reparation of Kirkes. His excuſe was, He could gett no officer of armes to putt in execution letters againſt parochiners, where the ſaid kirks were ruinous. The Aſſembly ordered the Superintendents, and Commiſſioners for planting of kirkes, to charge the Collectors officers within their provinces reſpective, to execute letters for reparatione of kirks decayed, as the ſaids Superintendents or Commiſſioners ſhall charge them; who ſhall cauſe them be ſatiſfied at the diſcretione of the Aſſembly, conforme to their diligence and pains taken thereanent.

Commiſſion is given to Mr John Robertſone, Theſaurer of Roſſe, to aſſiſt Mr Donald Monroe, Commiſſioner of Roſſe; becauſe the ſaid Commiſſioner was not prompt in the Scottiſh tongue. C.]

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Seſſ. 2a

Penitents that for their offences reſorts to the Generall Aſſembly, either to receive injunctiouns, to ſhew ſignes of their repentance, or that ſould preſent themſelves befor the ſame in linnen cloathes, and receive farther injunctiouns; That they be warnit [by their Superintendents, Commiſſioners or Miniſters,] to compeir the ſecond day of the Aſſemblie peremptorilie.

[Becauſe ſome, who had once accepted the office and charge of preaching the word, had deſerted their calling, the Aſſembly ordained, That all and ſundry Miniſters, who hereafter ſhall accept the ſaid office, ſhall be inaugurate publickly, conforme to the order appointed in the end of the Booke of Excommunicatione: And] Miniſters at their publick inauguratioun ſall proteſt ſolemnlie, that they ſall never leave their vocation any tyme therafter, under the paine of infamie and perjurie; [and that this be done and execute be Superintendents, and Commiſſioners appointed for planting of kirkes: And in like manner, That all Miniſters already placed before the making of this ſtatute, ſhall make the like proteſtatione, in their Synodall conventiones, before the Superintendents or Commiſſioners, who ſhall inſert the ſaid proteſtatiounes, from time to time, in their bookes, ad futuram rei memoriam. C.]

Anent the tryall of ȝong children, and how they are broght up be their parents in the true religion of Jeſus Chryſt: It is ordainit, that Miniſters, and elders of kirks ſhall univerſallie, within this realme, take tryall and examine all ȝong children, within their parochin, that are come to nyne ȝeirs, and that for the firſt time; thereafter, quhen they are come to 12 ȝeirs, for the ſecond tyme; the thrid tyme to be examined, quhen they are come to 14 ȝeirs; quherthrow it may be knowin that they have profited in the ſchoole of Chriſt, fra tyme to tyme: [And that the names of them that ſhall be tryed, be written be the Miniſters, and elders; and every one of them within their own parochies.

The penitents compearing to ſubmitt themſelves to the diſcipline of the Kirk, were ordained to repair to their owne Miniſters reſpective, who would ſhew to them the injunctiones appointed be the Aſſembly, to be fullfilled for ſignes of repentance unto the next Aſſembly; and to compear

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in linnen cloathes, bare headed and bare footed, the ſecond day of the next Aſſembly, to receive farther injunctiones; and every one of them to bring a teſtimoniall from their owne Miniſter, of their behaviour in the meane time.

Others compearing in linnen cloathes, bare headed and bare footed, with teſtimonialls from their Miniſters, or teſtificatione of their Miniſters there preſent that they had fulfilled the injunctiones appointed to them, were remitted again to their own Miniſters reſpective, to be received to the ſocietie of the faithfull, according to the act of the Generall Aſſembly, made the ſecond of March 1569, and ſecond Seſſione of the ſame Aſſembly.

Others ſummoned be the Superintendents, Commiſſioners, or Miniſters, often times called, but not compearing; it was ordained, That the ſentence of excommunicatione ſhould be reiterat againſt them who were already excommunicate, and the cauſe declared wherefore it was ſo done; and that they proceed to excommunicatione againſt others, for their diſobedience.

Seſſ. 3a.

Mr John Craig, John Row, and David Lindſay, Miniſters, Mr Thomas Makcalzean, Advocate, David Forreſt, Generall of the Congie houſe, Mr James Lawſone, Subprincipall of Aberdeen, were appointed for deciſion of queſtions.

It was ſtatut and ordained, That as it pleaſed God of his mercy to erect the authority of the Kings Majeſty, with publick conſent of the Eſtates in Parliament, even ſo the ſamen ought, and ſhould be univerſally obeyed throughout this realme, without acknowledging any other authority, whatſoever title be pretended.

Moreover, Miniſters are commanded, in their publick ſermons, to pray publickly for the preſervation of His Majeſties perſon and authority; with certification, that all ſuch as ſhall be found negligent or diſobedient, ſhall be puniſhed as the Aſſembly ſhall think expedient.

And farther It was declared, That if any ſubject or ſubjects of this realme, of what eſtate ſoever they be, ſhall preſumptuouſly take upon them to inhibite any Miniſter to obey this ordinance of the General Aſſembly, what cloke or colour ſoever he or they pretend; or by minacing make

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impediment unto them, ſo that without fear Miniſters may not ſerve God in their vocation; that, in that caſe, ſuch troublers ſhall be ſummarly, upon the notoriety of the fact, excommunicate, and ſhall be holden rotten members, unworthy of the Society of Chriſts body.

And laſt, The Aſſembly commandeth all Superintendents, and Commiſſioners of Provinces, to cauſe this determination to be publiſhed in all the paroche kirks, that nane hereafter pretend ignorance.

Item, It was ordained, That this act and ſtatute ſhould be printed be Robert Likprivick, that no man pretend ignorance. C.]

It is ordainit, be reaſon of the great troubles laitlie riſen in this realme, be defection of ſome fra the Kings Majeſties laufull authority, That certain brethren be ſent fra the Kirk, to all Erles, Lords, Barrones, and Gentill men quhatſoevir, that hes made the forſaid defectioun, and travell with them be all meanes poſſible, to reconcile them to the lawfull obedience of His Majeſtie; and to certifie them that diſobeyis, that the haill Kirk will uſe the ſword againſt them, quhilk Gods word hes committit to them. Commiſſioners for that effect: Mr Andro Hay, [Commiſſioner of the Weſt,] and Mr David Lindeſay, [Miniſter of Leith,] to my Lord Dukes Grace, the Erles of Argyle, Eglintoune, Caſſills, my Lord Boyd, and uther Barronis and Gentill men that they can goodlie meit with within the Weſt partis: The Laird of Dunne, Superintendent of Angus and Mernes, to the Erle of Craufurd, the Lord Ogilvie, and their aſſiſters. Quhilks Commiſſioners were commandit to report their anſuers to the nixt Generall Aſſemblie.

[Power was given to Mr Robert Pont, Commiſſioner of Murray, with the aſſiſtance of the Kirke of Elgine, to proceed, after due admonitiones, to excommunicatione againſt Patrick Biſhop of Murray.

It is ordained, That all Superintendents and Commiſſioners to plant kirkes, with ſuch as they ſhall chooſe in their Synodall conventiones, ſhall hear the compts of the Collectors of their owne provinces, at ſuch day and place as ſhall pleaſe them to appoint to the ſaids Collectors; and report to the nixt Aſſembly, quhat diligence and fidelity they ſhall find in them: and that they ſhall have power to depoſe, and retaine the ſaids Collectors, as occaſione ſhall ſerve, conforme to the act of the ſaid Aſſembly made of before thereanent. C.]

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Seſſ. 4a.

The contraverſie in St Androes betuixt Mr Robert Hamiltoun, Miniſter ther, and his Collegis on the ane part, and Mr James Carmichell, and his Collegis on the uther part, is treattit and diſcuſit be the Aſſemblie of the haill Kirk; becauſe the ſame concernes doctrine, ſlander that may riſe therin, or diſcipline of the Kirk.

[The brethren appointed for deciſione of queſtiones, reported their deciſiones, as followeth.

It was aſked, What is the juriſdictione of a Superintendent, and how far it is extended be Gods word. Anſwer: Remitt the anſwer to the Book of Diſcipline.

Q. If a Miniſter, Exhorter, or Reader, and any other man, be at debate for any injurie in word or deed, the actione being civill, Who ſhall be Judge in that matter. A. The actione of injurie belongeth to the Magiſtrates: The ſlander to the Kirk.

Q. If a Miniſter ſufficiently provided for his miniſtratione at any kirke, have other benefices wherof he receiveth the fruicts, Whither the fruicts he receiveth may be called thift, reaſe, ſacriledge, or juſt poſſeſſione. A. Referr this to the modifiers of ſtipends, as they ſhall anſwer before God.

Q. Whither it is better that all Miniſters were equall in labours, to wit, theſe that labour in touns were equall, and without touns ſicklike equall; or according to diverſe qualities and gifts, ſome ſhall be preferred to others; and if this be thought good, Who ſhall be Judge; Whither the Superintendent only, or not. A. This is anſwered be the appointment of moderators of ſtipends.

Q. Whither, If a man having the properties requiſite in a miniſter, not having a certaine flock, ſhall be admitted to preach, and miniſter the Sacraments, in neceſſity, or in default of a miniſter, if it ſhall pleaſe him; ſo that he promiſe to continue in the ſaid vocatione: or ſhall none be admitted who hath not a particular flock. A. This article is obſcure.

Q. Whither it be papiſtry, when any man profeſt in ane abbay, ſhall be choſen miniſtrator, or œconomus, be ſuffrages of theſe that have been profeſt in ane abbay, which profeſſione is papiſtry, and be that election brooke the title. A. Howſoever the profeſſione was papiſtrie before, yet the miniſtratione of the temporal fruicts is a part of the policie, and

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no wiſe papiſtry. Mr John Rutherford proteſted, in ſo far as the anſwers to thir queſtions is not ſufficient, that he may have remeed at the nixt Aſſembly, or otherwiſe, &c.

Q. A man having juſt occaſione to ſuſpect his wife of adultery, be common brute and otherwiſe, giveth in a complaint to the Seſſione of Edinburgh, craveth tryal; but afterward moved with fooliſh pitie, taketh up his complaint, and deſireth the Seſſione of the Kirke to be ſilent and keep ſecret: Thereafter, in the ſame mans houſe, when he is furth of the countrey, ane adulterer is deprehended with his wife be the Magiſtrate, at ten hours at even: The huſband returning compleaneth again to the Seſſione of the Kirke, craveth the laſt ſlander to be tryed, which was tryed: Moreover, the huſband accuſeth the adulterer before the Juſtice; and he is convict, be ane aſſiſe, of adultery committed with his wife: and ſicklike he calleth his wife before the Juſtice. Now, in the meane time, before the day of her compearance, it is bruted, and vehemently ſuſpected, that the huſband is already reconciled with his wife, or to be reconciled, before ſatiſfactione be made to the Kirke; and ſo is already, or intendeth to be a patron to his wifes adultery, and therethrow to committ lenocinium. What order ſhall be taken with this huſband reconciled with his wife, without ſatiſfactione made be her; or, What order ſhall be taken with ſuch men as clocke the adultery of their wives, notoriouſly and publickly known. C.] A. Cloakers of adulterie ſould be callit, and convict: and if it be found, that they have cloakit publick adulterie, after their knowledge, then let the rule have place. Conſentientes et agentes pari pœna puniantur.

[Q. Whither the Communion may be miniſtred upon Paſch day, or not. A. Why not, where ſuperſtitione is removed.

Q. Whither a man deflouring a virgine ſhall be conſtrained to marrie her; or, if paying her tocher, according to the diſcretione of the Kirke, he may be free to marrie whom he pleaſeth in the Lord. A. Let the Kirke ſuite the Magiſtrats to conſent to this law. C.]

Q. When a woman beares a bairne to a certaine man, and in the tyme of her birth, before the midwyſe, alledgis the bairne to be this mans, and beand callit befor a Judge beand ready to ſweare the ſame; and this man

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is readie to ſweare the contrair, and that he had never carnall deale with this woman; and ther is no uther witnes: Whither ſall credence be givin to the mans aith, or to the womans; and ſall the bairne be left without a father knowin. Anſuer: Neutri credendum.

[Q. What ſhall be anſwered to theſe who charge Miniſters to deſiſt from praying for the King, or revenge of the Regents murther. A. The Miniſters ſhall pray for the Kings Majeſty, according to ane act made befor in this Aſſembly; and alſo for revenge of the Regents murther.

Q. What way ſhall the Lords of the Seſſion that have benefices, and their thrids free, be compelled to provide Miniſters to their own kirks. A. Lett the compleaners give in their complaints to the Kirk, that the Lords may be called befor the Kirk, for order to be taken with them.

Q. If thoſe that withhold the duty of the Kirk, wherethrough Miniſters want their ſtipends, may be excommunicate. C.] A. All things beand done that the civill ordour requyres of them that withhaldis the duetie of the Kirk, quherby Miniſters wants their ſtipends; the Kirk may proceid to excommunication, for their contempt.

[Q. What order ſhall be taken with ſuch miniſters as are provided to benefices by the reformed Kirk, and have manſes, but will not make reſidence. A. Let them be admoniſhed to make reſidence, under the pain of deprivation.

Q. What order ſhall be taken with ſuch popiſh prieſts as are excommunicat for miniſtration of the Sacraments, and ſelling of the ſame, yet will not abſtain. A. Raiſe letters of caption upon them. C.]

Seſſ. 5ª

Compeirit Mr James M'Gill of Rankeillor-nether, Clerk of Regiſter, and Counſellour to our Soveraine Lord, Lord Johne Ballantyne of Auchnoulnhill, Knicht, Juſtice Clerk, Mr Archibald Dowglas, ane of the Lords of the Colledge of Juſtice, quho, in preſence of the haill Aſſemblie, proponit

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in my Lord Chancellours name, how his Lordſhip had underſtand, that in the contraverſie among them in St Androes, there was conteinit ſome heids tending to treaſon, and againſ the Kings Majeſties authoritie: Therfor reqyrit the Kirk preſentlie aſſemblit, to ſuperceid all deciſion in that matter, concerning the Kings Majeſtie, untill the tyme the Nobilitie conveine, quhilk will be within ten dayis; befor quhom that heid aucht to be ſichtit: notheles that the Kirk proceid to ſick things therin, as pertaines to their awin juriſdictioun. To the quhilk proteſtatioun the Kirk aggriet.

The ſaid day the haill Kirk preſentlie aſſemblit, in ane voyce and mynd, gives full commiſſion and power to the honorable, their loving brethren, Johne Erſkin of Dunne, Knyght, Superintendent of Angus and Mernes, Mrs Johne Wynrhame, and Johne Spotiſwood, Superintendents of Fyſe, and Lowthiane reſpective, Mr James M'Gill of Rankeillor-nether, Clerk of Regiſter, and Counſellour to our Soveraine Lord, Mrs Johne Knox, and Johne Craig, David Lindeſay, of Edinburgh and Leith Miniſters, the Proveſt of Dundie, Mr Thomas M'Calzean, the Lairds of Balvaird, Spot, Braid, Carnall, Dreghorne, Lundie, Howſtoun, Drumquhaſil, Coldonknowis, Carden, Fawdonſyde, Thornetoun, Inchbrakie, David Forreſt, Generall of the Congie, David Ramſay of Dundie, Patrick Murray in St Johnſtoun, and Robert Campbell of Kingeancleuch, or any aucht, or ſevin of them, to compeir in Edinburgh, the xij day of this moneth of July, with continuation of dayes, ſa oft as the Nobilitie of this realme ſall conveine, betuixt this and the nixt Generall Aſſemblie: And ther, in name, and behalfe of the haill kirks in Scotland, propone and preſent to the ſaid Nobilitie, articles, heids, ſupplicatiouns, and complaints, ſuch as the ſaid Kirk hes already pennit and delyverit to their ſaids brether, or heirafter ſall, before the nixt Generall Aſſemblie, delyver; moſt humblie in their names, To requyre anſuers, and grant to their articles, and ſupplicatiouns, and with redreſſes of their complaints, according to equitie and juſtice: To aſſiſt, concurre, and conſent to all and quhatſumevir ſall be treatit in the ſaid Conventioun, tending to the ſetting forward of the glorie of God, preaching, and maintaining of true religioun, within this countrey, the Kings Majeſties authoritie, commoun weil, and authoritie of this realme: As alſo, To take cognition in all and quhatſomevir complaints, ſupplicatiouns, and requeiſts of brether, ſpecially remittit to them be this Aſſemblie: And quhatſoevir beis done be them in the premiſſes, To

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report the ſame to the nixt Generall Aſſemblie of the Kirk, to begin in Edinburgh, the firſt day of March nixt to come: firme and ſtable hald-and and for to hald all and quhatſomevir the ſaids brether, or any aucht, or ſevin of them, in the premiſſes leads to be done.

The Kirk preſentlie aſſemblit, for certaine cauſes moving them, diſcharges all and ſundrie aſſignatiouns, and penſions granted be the Kirk, during their will, to quhatſomevir perſon or perſons, befor the daitt heirof; and ordaines the collectour of the Kirk to intromett therwith heirafter; and to put inhibitions to all them that heirtofoir hes had any ſick aſſignatiouns or penſions; except that quhilk is aſſignit to the Kings Majeſties houſe allanerly: [And this to be intimat to the Lords, Senators of Seſſion of Juſtice, requeiſting their Lordſhips, that no letters be granted be them, to any perſon having aſſignation, or penſion of the thrids, contrar to the tenor of this Act.

Mr Robert Pont, Commiſſioner of Murrey, and Mr Andrew Hay, Commiſſioner of Cliddiſdaill, deſired them to be diſburthened of their commiſſion; but were requeſted to continue till the nixt Aſſembly. C.]

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A. D. M.D.LXX.

THE Generall Aſſemblie begun and haldin at Edinburgh, the fyft day Marche 1570: In the quhilk were preſent the Barronis, Superintendents, Commiſſioners to plant Kirks, Commiſſioners of Provinces, Univerſities, Townes, Kirks, and Miniſters. Mr George Hay was choſin Moderatour be ſuffragis, to make prayers in this Aſſemblie; and exhortatioun in the beginning of the nixt.

Seſſ. 1ª

[Mr Knox preſented the Regents letter, wherein he craved the Aſſembly to be tranſlated from Edinburgh to Stirling, or Glaſgow. The Aſſembly was willing; but deſired his Grace to hold them excuſed, becauſe the Barons, Gentlemen, and Commiſſioners, ſome of them wanted horſe, ſome of them had other impediments; The perſons ſummoned were warned to compear at this place.

Some were appointed to reviſe the Commiſſioners diligence in executing their commiſſion. C.]

The Kirk aſſemblit ordaines all Superintendents and Commiſſionars to plant kirks, to preſent heirafter their bookes of their viſitatiouns, every ane within their province reſpective, to every Aſſemblie heirafter following, to be ſichtit and conſiderit be ſick brether as ſall be appointed therto, fra Aſſemblie to Aſſemblie; to the effect the Kirk may underſtand their diligence in executing their offices within their provinces.

The Kirk finds fault, that Mr Johne Rutherfurd, miniſter at Cultis, hes not done diligence in ſerving the ſaid cure, at leaſt certaine tymes in the

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geir: admoniſhing him therfor to amend the ſaid fault, in tymes coming, utherwayes the Kirk will proceid againſt him, as a neglecter of his dutie.

[Anent the Juriſdiction Eccleſiaſtical, and what ought to pertain thereto, and to be ſuited for at my Lord Regents Graces hand: The Aſſembly appointed the Superintendents of Angus and Fife, Mr Knox, Mr Robert Pont, Mr Johne Row, to conveen every day at ſeven hours, and pen and putt in order the heads and points in all ſorts, pertaining to the Eccleſiaſticall Juriſdiction; and thereafter to preſent the ſaid heads again to the Aſſembly, to be ſighted and conſidered be them, to be ſent be them thereafter to the Lord Regents Grace, with the inſtructions to be given to the Commiſſioners that are to be ſent to his Grace.

Seſſio 2a.

Captain James Cunninghame, ſervitour to my Lord Regents Grace, preſented a letter to the brethren: The tenor whereof followeth.

After our moſt hearty commendations; whereas we have ſome matters to be conſulted upon before you, both concerning the eſtate and affairs of the Church; as alſo the Kings Majeſty, and common wealth of this countrey; and becauſe we may not as yet depart from theſe parts, while we have putt order to ſuch confuſion of things as occur, as alſo ſundry other impediments moving us, we deſire you moſt effectually, that ye would appoint your nixt Aſſembly to be here at Glaſgow, and that with all goodly diligence that ye may; at the leaſt, that a part of you may be ſent hither, ſufficiently authorized with commiſſion from the whole number, to treat with us anent ſuch things as ſhall be both for the Kirks, Kings eſtate, and common weale of the countrey; wherein ye ſhall doe us moſt ſpeciall pleaſure. Referring all other things to your coming, committeth you, in the mean time, to the protection of God. From Glaſgow, the 3 of March 1570.

The Aſſembly gave commiſſion to ſome brethren to goe to the Regent and treat with him: The tenor of the Commiſſion followeth. Edinburgh, 6 March.

The brethren preſently aſſembled, in one voyce and mind, give their full commiſſion and power to the honourable, and their loving brethren,

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Johne Areſkine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winram, Superintendent of Fife, Mr John Spotſwood, Superintendent of Lothian, Mr George Hay, Commiſſioner of Aberdeen, Mr Andrew Hay, Commiſſioner of Cliddiſdaill, Mr David Lindſay, Commiſſioner of Kyle, Carrict and Cunninghame, Mr John Row, Commiſſioner of Galloway, John Duncanſon, Miniſter of the Kings Majeſties houſehold, Mr William Lundie of that ilk, James Johnſton of Elphinſton, Alexander Foſter of Carden, John Lockart of Bar, Hugh Wallace of Carnall, Mr John Fullerton of Dreghorn, Mr John Preſton, one of the Commiſſioners for the town of Edinburgh; or any ten of them, To compear before my Lord Regents Grace and Counſell in Stirling, the laſt day of this inſtant month, or any other place, where my Lord Regents Grace ſhall appoint, due advertiſement preceeding; and there, in the Kirks name, moſt humbly propone, ſhew and declare articles, heads, ſupplications and complaints, delivered to them be the Kirk, moſt humbly requeſting for anſwer thereunto; conferr, reaſon and conclude with his Grace and Counſell, upon ſuch heads and articles, as ſhall be proponned to them be his Grace and Counſell forſaid, according to the Aſſemblies inſtructions given to their ſaid brethren; aſſiſt, concurr and conſent to all and whatſomever other things that ſhall be treated, tending to the glory of God, ſetting fordward the preaching and maintaining of his true religion within this countrey, the Kings Majeſty, and common wealth of this realme: And whatſoever happeneth to be done be them in the premiſſes, to report the ſame to the nixt Generall Aſſembly of the Kirk, to beginn in Stirling, the 6 day of Auguſt nixt to come: ſtable and firm holding, and for to hold all and whatſomever the ſaids brethren, or any ten of them, in the premiſſes conclude to be done. Given in the Generall Aſſembly of the Kirk, and ſecond ſeſſion thereof. Subſcrived be the Clerk of the ſame, day, year and place foreſaid. C.]

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Articles pertaining to the Juriſdictioun of the Kirk, to be proponit to the Regents Grace and Secreit Counſell, and ſocht to be appointit be them.

1. Firſt, That the Kirk have the judgement of true and falſe religioun, or doctrine, hereſies, and ſicklyk, annexit to the preaching of the word and miniſtratioun of the ſacraments.

2. Election, examination and admiſſion of them that are admittit to the miniſtrie, or uther functions in the Kirk, charge of ſauls, and eccleſiaſticall benefices, the ſuſpenſion and deprivation of them therefra for lawfull cauſes.

3. All things concerning the diſcipline of the Kirk quhilk ſtands in correctioun of manners, admonitions, excommunications, and receiving to repentance.

4. The judgement of eccleſiaſticall matters betuixt perſons that are of the Kirk, and ſpecially among them that are conſtitute in the miniſtrie, aſweill concerning beneficiall cauſes as uthers.

5. Juriſdictioun to proceid be admonitions to the proces of excommunication, if neid beis, againſt them that robis the patrimonie of the Kirk pertaining to the miniſtrie, or utherwayes intrometts therwith unjuſtlie, quherby the miniſtrie is in danger to decay be occaſion of the povertie of the miniſtrie.

6. And, Becauſe the conjunctioun of marriages pertaines to the miniſtrie, the cauſes of adherents and divorcements aught alſo to pertaine to them, as naturallie annexit therto.

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[The injunctions given to their brethren the Commiſſioners, ſent to my Lord Regents Grace and Counſell, to be proponed, concluded and reaſoned upon.

In the firſt, that his Grace and Counſell grant and conſent, That no diſpoſition of any benefice or preſentation be made of any perſon, without the admiſſion and collation of the Kirk, following upon juſt preſentations; and if any diſpoſition of benefices be made to any perſon or perſons, that the ſame be diſcharged and brought back again, to the end that ſuch have no place in times coming.

Item, That ſome order be taken with ſome horners, and perſons diſobedient, that payment may be had of them that diſobey.

Item, That his Grace and Counſell approve the juriſdiction of the Kirk, conform to the particular information given thereupon.

Item, That ſuch horrible crimes be puniſhed, as provock Gods wrath againſt the realme, ſuch as idolatry, inceſt, adultery and other like hainous crimes; and Commiſſioners of Juſtice be appointed in every province for that effect.

And in like manner, That ye agree, conferr and conclude with his Grace and Counſell, touching the penſion concerning the Kings Majeſties houſe; and alſo concerning my Lord Regents Graces houſe, anent the penſion to be appointed thereto.

And, finally, To reaſon, conferr and conclude with his Grace and Counſell foreſaid, concerning the appointment made betwixt the Kirk and my Lord Regents Grace, now reſting with God, as ſhall be thought expedient, and agreeable to Gods glory, to the comfort and utilitie of the Kirk, the preſervation of this common wealth, and due obedience to the Kings Majeſty our Soveraign.

In the firſt, That his Grace would be content to take horners for payment.

Secondly, That he be paid, ſecundum ratam, according to the payment of miniſters.

Thirdly, That he will diſcharge, in this reſpect, the ſuperplus, if any were, to be employed in pious uſes.

Item, To give anſwer to my Lord Regents Grace to Makquhyn and

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his companions; and als for preſervation and upholding of the Kirk of Glaſgow, and upholding the leid thereof.

Item, To remember Mr Robert Hammilton, miniſter of Sanct Andrews, for payment of his ſtipend. C.]

Adulterers, inceſtuous perſons, and homicides, [and other hainous offenders, requeſting to be received to publick repentance,] were ordainit to repaire to their awin Miniſters; there to receive their injunctions, quhill the nixt convention Synodall of the Superintendents and Commiſſionars of their awin provinces reſpectivé; and there to preſent themſelves in linnen cloathes, bareheidit and barefootit, humblie requieſtand the Kirk there aſſemblit, to receive them to the ſocietie of the faithfull, with farther injunctiouns; and to bring their teſtimonialls from the miniſters, of their behaviour in the meane tyme. [Others compearing in linnen cloathes, and ſubmitting themſelves to farther injunctions, the Aſſembly ordaineth them to be received in their own kirks, conform to the acts made thereanent. C.]

Seſſio 3ª.

Forſameikle as it hes bein ordainit be the Generall Aſſemblies, That all adulterers, murtherers, inceſtuous perſons, and uthers committers of haynous crymes, firſt ſould preſent themſelves to the Generall Aſſembly, there to receive their firſt injunctions; and at the nixt therafter following to preſent themſelves in linnen cloathes, &c.: And forſameikle as diverſe of the ſaids offenders partlie are farre diſtant fra the places of Generall Aſſemblies; uthers, for povertie, and deadly feids, may not, and darre not travell through the countrey to preſent themſelves before the ſaids Aſſemblies, &c.: For thir cauſes, and uthers conſiderations moveing the Kirk preſentlie aſſemblit, they ſtatute and ordaines, That all ſick offenders ſall be callit heirafter be the Superintendents and Commiſſioners of provinces, to compeir befor them in their Synodall conventiouns, to be haldin be them twyſe in the zeir; there to be receivit, and take their injunctiouns, conforme to the ordour uſit befor be the Generall Aſſemblies, in all ſorts.

[The Diocie of Cathneſs craveth a ſuperintendent, or commiſſioner to plant kirks, or viſite kirks already planted. The Aſſembly not finding a man fitt, for the preſent, for ſuch a charge, in that countrey, requeſted

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John Gray of Fordell, who had taken great pains and travells before in the overſight of the ſaid countrey, to continue in his ſupporting of the ſaid diocie, with the aſſiſtance of the Biſhop thereof, head Commiſſioner of the ſame, till the nixt Generall Aſſembly.

The Aſſembly ordained the Superintendent of Angus and Mernes to viſite Dunkell, plant miniſters there, expell idolatry, viſite ſchools and colledges, as he uſeth to doe in his own bounds; and exerciſe and uſe all other things pertaining to the office of a Superintendent.

Mr John Row, Commiſſioner of Nithiſdaill and Galloway, Mr David Lindſay, Commiſſioner of Kyle, Carict and Cuninghame, Mr Andrew Hay, Commiſſioner of Cliddiſdaill, Ranfrew and Lennox, were continued in their commiſſions reſpectivé, till the nixt Aſſembly.

Mr George Hay, Commiſſioner of Aberdeen, required to be diſburthened of his office, in reſpect there was no obedience in theſe parts, and Miniſters were not anſwered; yet the Aſſembly requeſted him to continue till the nixt Aſſembly.

The Aſſembly directed this letter following to the Commendator of Halyrudhouſe.

The Superintendents of Kirks, and Miniſters of the reformed Kirk within Scotland, aſſembled in Edinburgh, the 5 day of March 1571, to the right worſhipfull and their loving brother, Lord Robert Steuart, Commendator of Halyrudhouſe, wiſh grace, mercy, and peace from God the Father, through our Lord Jeſus Chriſt, with continuall guiding of his Holy Spirit, for ſalutation.

Foraſmeikle, beloved in the Lord Jeſus, as we wrote to your Lordſhip, the 25 day of March 1568, to aſſiſt our brethren Commiſſioners to plant kirks in Orknay and Zetland; as alſo to further our collector of the thrids in theſe bounds for the ſuſtentation of the Miniſtry, as your Lordſhip would declare yourſelf a ſetter fordward of the kingdome of Jeſus Chriſt, and have us to call to God for your proſperity, &c. And becauſe we have received advertiſement from Mr James Annand and Gilbert Foulſie, our Commiſſioners in theſe bounds, of your Lordſhips continuall aſſiſtance to them in executing of their office, as alſo of your Lordſhips ſupport to our ſaid collector; for the which we are not able to render thanks ſufficiently;

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God ſhall recompence to your Lordſhip comfort: This preſent is moſt humbly to requeiſt your Lordſhip, That as ye have begunn to declare yourſelf a patron of the Kirk in theſe bounds, even ſo your Lordſhip would continue to the end: and aſſure your ſelf, if men ſhould happen to be unthankfull, as God forbid, yet ſhould the eternall God, who leaveth not a cup of water given to one of his, for his ſake, unrecompenſed, bleſs your Lordſhip and your poſterity. Yet farther, we moſt requeiſt your Lordſhip, when our ſaid brethren Commiſſioners ſhall ſignify to you ſuch as are manifeſt adulterers, inceſtuous perſons, murtherers, or others committers of hainous crimes, which provock the wrath of God to be poured out in this realme, that your Lordſhip would puniſh the ſaids faults, according to Gods laws, and acts of Parliament; that wickedneſs may be taken away: In doing whereof your Lordſhips remembrance and memory ſhall be immortall, and poſterity to come ſhall praiſe God in your doings. What your Lordſhip ſhall doe in the premiſſes, we look to be advertiſed be your Lordſhip, or our ſaids brethren Commiſſioners, at the nixt Aſſembly to beginn at Stirling the 6 day of Auguſt; where we look for one of them with full advertiſement: And thus we committ your Lordſhip to the protection of the Omnipotent. Given in the Generall Aſſembly, and thrid ſeſſion thereof, the 6 day of March 1570. Subſcrived be the clerk of the ſame, at our command.

The Aſſembly ordained Mr John Knox, John Row, Robert Hammilton, John Craig, William Chriſteſone, Robert Pont, and James Lowſon, of Edinburgh, Perth, Sanct Andrews, Dundie, Murray, and Aberdeen, Miniſters reſpectivé, to meet upon the deciſion of queſtions, the morne at 8 hours; and to report their deciſions, betwixt and the end of the Aſſembly, to be inſert and regiſtrat.

And becauſe the Aſſembly is yearly troubled with ſolutions of queſtions, of which ſome are unprofitable, others may be eaſily reſolved be Superintendents and Commiſſioners to plant kirks, with the aſſiſtance of their Miniſters, in their Synodall conventions to be holden twice every year, &c. Herefore C.] The haill Kirk aſſemblit ordaines, That all queſtions heirafter be proponit and preſentit to the Superintendents and Commiſſioners forſaids, in the ſaid Synodall conventions, there to reſeaff their ſolutiouns: And if any queſtion happins to be hard for them that ſall happin to be at the ſaid conventions, then, and in that caſe, that the Superintendents and Commiſſioners of kirks preſent the ſaid hard queſtions

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to the Generall Aſſemblies, there to receive their ſolutioun in their rowme, according to the rule: With certification, that no queſtions heirafter ſall be receivit in Generall Aſſemblies from particular Miniſters. [The ſame order to be obſerved anent complaints in all ſorts, &c.]

Seſſio 4ª

Foraſmikle as trouble and ſlander hath riſen for ſolemnizing of marriages in private houſes, and that be miniſters to whoſe paroch or kirk the contraveeners pertained not, wherethrough there hath been controverſy in particular kirks and ſeſſions, for ſatiſfaction making for tranſgreſſion of the publick order of the Kirk, &c.; for eſchewing of the which, C.] The Kirk aſſemblit ſtatutes and ordaines, That all marriages be made ſolemnlie in the face of the congregatioun, according to the ordour publicklie eſtabliſchit; and als inhibites all Miniſters and Exhorters, that nane of them ſolemnize marriages of any perſons of uther congregatiouns nor their awin, without ſufficient teſtimonialls from their Miniſters, or els licence aſkit and givin be the contracters, under the pains eſtabliſchit before agains the Miniſters; and the contracters, with their parents, to make publick repentance at the commoun pillar of repentance, at the diſcretioun of their awin kirks.

[Mr Archibald Douglas, one of the Senators of the Colledge of Juſtice, having a preſentation, under the Privy Seal, of the perſonage of Glaſgow granted and givin be the Regent of good memory; wherein he required the Aſſembly to give their letters teſtimonialls, conform to his ſaid preſentation: The Aſſembly remitted him to Mr Andrew Hay, Commiſſioner of Cliddiſdaill, to receive his anſwer. The Commiſſioner refuſed to give letters teſtimonialls; becauſe the preſentation was not made according to the order agreed on betwixt my Lord Regents Grace of good memory, and the Aſſembly. Mr Archibald proteſted, that he might hear a reaſonable cauſe, why they refuſed. The Aſſembly alledged the reaſon before mentioned; not the leſs they offered to cauſe their ſolicitor to deliver to him a form of preſentation, ſuch as the Kirk hath uſed to give their teſtimonials upon. From their refuſal Mr Archibald appealed, verbo tantum, to the Parliament, the Kings Majeſty, and his Counſell, omni meliore modo.

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Seff. 5ª

The ſaid Mr Archibald appealed of new to the Parliament, the Kings Majeſty and Counſell, omni meliore modo, &c.; moreover required the Aſſembly to adhere to his appellation. The Aſſembly deſired him to putt his appellation in due form, and deliver the ſame to them to adviſe with, and thereafter they ſhould give their anſwer: whereupon the ſaid Mr Archibald aſked inſtruments.

The Aſſembly brotherly required Mr Patrick Adamſon to enter again in the miniſtry, in reſpect of the good gifts that God had given him, and ſcarceneſs of miniſters in diverſe countries. He anſwered, That he would adviſe with himſelf and brethren that love him, till the next Aſſembly; and promiſed then to anſwer, whither he would then enter in the miniſtry, or withdraw himſelf allutterly.

Compeared Mr Archibald Douglas, proteſted, that the anſwer given be the Aſſembly, that the preſentation produced be him to the Commiſſioner of Glaſgow, and thereafter to the Generall Aſſembly, together with the anſwer of refuſal, alledging the ſame to be no lawfull preſentation, it being founded upon the Kings priviledge, ſuch laws and conſtitutions as have been uſed in this realme, at all times heretofore, together with the refuſal of the ſaid Kirk to adhere to his juſt appellation, as he alledged, interponed be him to the moſt honourable Parliament, Kings Majeſty, his Regent, Secret Counſell, Lords of Seſſion, or any of them that ſhall be found competent Judges herein, may ſerve him for a ſufficient and lawfull teſtimonial upon his proviſion to the end of the plea, to be as ſufficient as if the Commiſſioner or Superintendent had given the ſame; and deſired his proteſtation to be admitted, &c.: whereupon he aſked a note. C.]

Seff. 6ª

The Kirk aſſemblit ordaines all miniſters to inhibite all civil magiſtrates to hold their courts within kirks, and, if neid beis, to admoniſch.

The Kirk ordaines all Superintendents and Commiſſioners to plant kirks in their firſt Synodall conventiouns heirafter following, with the advyſe of their miniſters; to reaſon [upon the neceſſity of publick faſts,]

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and appoint publick faſting, if it ſall be thocht neceſſar; and als that they appoint certaine brethren to travel for vnitie and concord among the nobilitie of this realme.

Compeirit in Aſſemblie Mr Robert Wynrhame, collector of Fyffe, and ſhew how he was purgit be ane condigne aſſyſe befor the civill magiſtrate, for the ſlaughter of Henrie Kairnes, citizen in St Androes: Not theles becauſe the blood was ſhed againſt his will, always he willinglie offerit to the Kirk to vnderly quhatſoevir vther thing they wold lay to his charge for ſatiſfaction of the Kirk. The Kirk ordaines Mr Robert Hamiltoun, miniſter of St Androes, to declare after his ſermon vpon a Sonday, the purgation of the ſaid Mr Robert of the ſlaughter; and therfor call vpon him to repare befor the pulpitt, exhorting him to enter in conſideratioun with himſelf, according as is containit in the Booke of Excommunication; and therafter to humble himſelfe, aſke God, the congregatioun, and partie pardon, and all vthers that were ſlanderit with the fault.

Anent excommunicat perſons for non-adhering to the eſtabliſchit religioun, and not joynit therto of befor, ȝet not theles preſentlie of their awin frie will ſubmitts themſelves, and requyres to be receivit to the ſocietie of the faithfull: The Kirk ordaines the ſaids perſons to be receivit be their miniſter, in low and humble habite, with ſackcloth, obſerving the ordour preſcrivit in the Booke of Excommunication, in all ther points.

[Mr Robert Lumſden of Clowayeth craved a defalcation of the thrids of the vicarages of Logie-Buchan and Cuſhny, in reſpect of inlaiking of corpus preſents, upmoſt cloaths, and paſch fynes, &c., which was granted; and ten merks yearly defalked of the thrids of the vicarage of Logie-Buchan; and 20 merks of the thrids of the vicarage of Cuſhny.

The brethren appointed for deciſion of queſtions, produced their ſolutions, as followeth:—

Q. Whither the Superintendents may or ought to take up the particular dilations, in their chief and metropolitan kirks, where good order is, and execution of diſcipline; and the weekly aſſembly be the miniſters, elders and deacons thereof, obſerved for the ſame cauſe. A. Lett the Superintendents and the Kirk agree therupon; not ſtopping the diſcipline any way.

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Q. And if he may take up the ſaids dilations, Whither he may doe it, without the advice of miniſters and elders who ought to be his counſellers, be himſelf and his own ſcribe. A. Thinks it were good, that he had ſome of the elders with him, for avoiding all corruption and partiality.

Q. If it be not more expedient that the Superintendent, or Superintendents themſelves be executioners of excommunicatioun, nor to committ the ſame to the miniſters; and that chiefly in landwart. C.] A. Quher miniſters are not in practiſe of excommunication or will be contemnit in their executioun, it is neceſſar that the Superintendent or ſome uther ſufficientlie qualified and authorized, uſe the ſame.

[Q. Quhither if a Superintendent may abſolutely depoſe and admitt miniſters, without advice and conſent of the chiefeſt miniſters, and of his ſeat in ſpeciall. A. We referr this to the ordinance made of before.

Q. If any perſon or perſons being in a reformed paroich or city, where order and diſcipline is obſerved, may be compelled to anſwer before their ſuperintendent, in prima inſtantia, or yet before the Generall Aſſembly, the matter not being tryed, neither before their own particular Aſſembly, their immediat judge, nor before the ſuperintendent. A. Appoints and ordains the order of the Book of Diſcipline to be obſerved herein, quhereunto the ſuperintendents are ſubject. C.]

Q. If it be leiſum to the miniſter to proceid againſt the magiſtrates quho will not put to execution the Acts of Parliament concerning diſcipline, and uther particular Acts univerſallie aggreit on be their awin particular congregatioun, with the ſentence of excommunication. A. This is els concludit; admonitions paſſing duelie before againſt them.

[Q. What puniſhment ſhall be inflicted on miniſters that will not execute the Superintendents letters. A. This queſtion cannot be anſwered, be reaſon of the generality thereof: But lett the Superintendent more ſpecially take order herein, as he will anſwer to the Generall Aſſembly.

Q. Is it not expedient and neceſſar, that an uniform order be obſerved in all kirks, in making promiſes of marriages, quhither they ſhall be made,

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per verba de futuro, vel verba de præſenti; or ſhould no promiſe be made till the ſolemnization. C.] A. Promiſe of marriage, per verba de futuro, ſall be made, according to the ordour of the reformed Kirk, to the miniſter, exhorter or reidar; takeand caution for abſtinence till the marriage be ſolemnizit.

If a man raviſch a woman againſt her will, and her parents will, and ſtrike her parents under ſilence of night, and the magiſtrates will put no correctioun therto: Quhither if the Kirk ſould proceid with monitours and excommunication, to ſatiſfie the ſlander. It is lawfull.

[Q. What puniſhment ſhall be inflicted on ſuch miniſters as refuſe to be inaugurat in the miniſtry. A. If they will not be received according to the order takin by the Kirk, lett them not be admitted. C.]

Quhat ordour ſall be takin with her quho committing fornication with a man, dois ſuffer the ſame man heirafter to marrie her awin ſiſter; and heiring the bands proclamit wald not reveile the impediment, but be conceilling of the cryme, was guiltie of the inceſt following. Both he and ſhe to be puniſhit according to the diſcipline of the Kirk, bot cheiflie the man; and the ſecond cannot be his wyfe.

Quhat ordour ſall be takin with them that impugnes proclamation of bands, and cheiflie be infamie, and proves not. Let ſick perſons be puniſchit, according to the diſcipline of the Kirk, as infamers.

It is altogether unlawfull be any miniſter of Gods word, to receive any benefice be the preſentation of a laik perſon, under paction and condition made with the patron therof, tending to ſymonie, viz. that the patron have the great part of the teyndis, and the miniſter the ſmall part therof.

[When the miniſter cometh to the Generall Aſſemblies, with commiſſion of his kirk, or for other needfull affairs, or chanceth to fall in ſickneſs: Quhither if the Superintendent ſhall provide for ſome other to occupy his place, chiefly within burrowes and towns. A. Ordains the ſuperintendent to take order that the kirk be not deſtitute. C.]

Quhat ordour ſall the ſuperintendent take with a man that hes ſuted

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libertie to marrie thir thrie or foure ȝeirs, being befor be his awin particular kirk inhibite to marrie, becauſe he deflored a virgine beand his awin ſervant, unleſs he wald take her to his wyfe; ſeing the judiciall law is not ȝet receivit, and the man hes hir diſcharge of marriage, under the forme of inſtrument, before the decreit was pronuncit againſt him be his awin particular kirk. All things beeand true, according to the narrative, it is thoght the decreit givin for ſick a cauſe may be reduceit be the ſuperintendent, and the man may obtaine libertie to marrie; ȝea, and there is injurie done to him alreadie.

[Q. Anent the queſtion proponed before the particular Kirk of Edinburgh be the brethren thereof, touching ſuch perſons as have ſometimes been known and admitted to the generall Kirk as publick miniſters, and of long time have made open defection, to the great ſlander of the Kirk: Quhat order will the Generall Aſſembly take thereanent. A. Such perſons ſhall be admoniſhed be the particular kirk, and if they refuſe to hear admonitions, ſhall be debarred from the ſacraments till they ſatiſfy the Kirk.

Q. A man excommunicat for adultery, and afterward abſolved, thereafter marrieth the woman whom before he had polluted with adultery: Quhither is this lawfull marriage or not. A. Unlawfull.

Q. If a laick patron preſent a man that can only read, and not preach, Shall he be admitted to the perſonage. A. Such perſons ought to be teachers, otherwiſe not to be admitted.

Q. If the Kirk, jure devoluto, may give a benefice which is diſponed be a laick patron to ane unqualified perſon; and if the ſuperintendent or commiſſioner to plant kirks, may doe the ſame without the Generall Aſſembly. A. Referrs it to the Act of Parliament. C.]

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A. D. M.D.LXXI.

THE Generall Aſſemblie begun and haldin at Stirling, the vj day of Auguſt 1571: In the quhilk were preſent the Superintendents, Commiſſioners to plant Kirks, Barrons, Miniſters, Commiſſioners of Provinces, Townes, Univerſities, and Kirks. Mr Gilbert Garden Miniſter at Fordyce was choſen Moderator.

Seſſ. 1a.

[Mr James Lawſon, Subprincipall of Aberdeen, David Wemes, John Dykes, James Melvill, Patrick Balfour, Archibald Keith, Miniſter at Peterhead, were appointed to try the Commiſſioners books of their viſitations ſince the laſt Aſſembly; and, after triall, to report quhat they find, before the Aſſembly be diſſolved.

The Aſſembly exhorted earneſtly all and ſundry the Superintendents and Commiſſioners to plant Kirks, to be circumſpect and warie in giving their letters teſtimonials to any perſons preſented to benefices, except to ſuch allenerly as they perfectly ſhould know, due examination preceeding, to be able to inſtruct and teach ſincerely in the Kirk of God, as they would anſwer, firſt to God, and thereafter to his kirk.

Seſſ. 2a.

Mr Patrick Adamſon ſent a letter to the Aſſembly, containing his anſwer anent his reentry to the miniſtry. The Aſſembly ordained the Commiſ-

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ſioners appointed to ſpeak to the Lord Regents Grace, before or at the nixt Parliament, to take order with the contents of his letter, and to report what they ſhall happen to doe therein to the nixt Aſſembly.

The ſame day, Mr Knox his letter ſent to the Aſſembly was read: The tenor whereof followeth. C.]

The mightie Spirit of comfort, wiſdome, and concord [in God] remaine ever with 3ou.

Deare Brethren,—If abilitie of bodie wald have ſuffered, I ſould not have troublit 3ou with this my rud dytement. I have not forgot quhat was laid to my charge be famous lybells the laſt Aſſemblie, and quhat a brag the adverſaries made perſonallie to accuſe me at this Aſſemblie, quhilk I pray 3ou patiently to heare, and judge of me as 3e will anſuer to God; for vnto 3ou vnto that heid ſubmitt I my ſelfe, being aſſurit that I neither offendit God, nor 3et good men, in any thing that hitherto hes bein laid to my charge. And now, brethren, becauſe the [dayly] decay of naturall ſtrenth threatens unto me certaine and ſudden departure fra the miſeries of this lyfe; of love and conſcience I exhort 3ou, 3ea, in the feare of God, I charge and command 3ou, that 3e take heid to 3our ſelvis and the flock over the quhilk God has placit 3ou paſtours. To diſcourſe of the behaviour of 3our ſelves, I may not; but to command 3ou to be faithful to the flock, I dare not ceaſe. Unfaithfull and traitours to the flock ſall 3e be before the Lord Jeſus, if that, with 3our conſent, directlie or indirectlie, 3e ſuffer unworthie men to be thruſt in into the miniſtrie of the Kirk, under quhat pretence that ever it be. Remember the Judge befor quhom 3e muſt make account, and reſiſt that tyrranie as 3e wald avoyd hells fyre. This battell, I grant, will be hard; bot in the ſecond it will be harder; that is, that, with the lyke uprightnes and ſtrenth in God, 3e gainſtand the mercileſſe devorers of the patrimonie of the Kirk. If men will ſpoyle them, let them doe it to their awin perrill and condemnatioun; but communicat not 3e with their ſins, of quhat eſtate ſoevir they be, neither be conſent nor 3et be ſilence: But be publick proteſtation make this knowin unto the world, that 3e are innocent of ſick robberie, quhilk will, or it be long, provocke Gods vengeance on the committers therof, quhereof 3e will ſeik redreſſe of God and man. God give 3ou wiſdome and ſtout courage in ſo juſt a cauſe, and me a happie end. Of St Androes, 3 Auguſt 1571.

3our brother in Chriſt Jeſus,

JOHNE KNOX.

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[This letter was read, conſidered with mature deliberation and allowed in all points; with firm purpoſe to proceed and doe according to the godly counſell contained therein, &c. touching the affairs of the whole Kirk. And, as concerning his own part contained in the ſaid letter, the Aſſembly ordained all perſons to be warned at the Tolbooth door, that had or pretended to have any thing to lay to the charge of the Superintendents or Miniſters, either preſently conveened or abſent from the Aſſembly, to compear before the diſſolving of the ſame and accuſe, if they had any juſt matter; but chiefly theſe that gave infamous lybells at the laſt Aſſembly holden in Edinburgh, in the moneth of March laſt by paſt; promiſing to hear their accuſations, to try the ſame and to miniſter juſtice therein, in ſo far as in them lyeth, according to Gods word.

The Aſſembly ordained all collectors to give up the names of all perſons who intromett with the thrids of the kirks, and make no payment thereof, with the executione of the letters of horning againſt them. C.]

Seſſ. 3a.

The haill Aſſemblie concludit, that certaine brethren, Commiſſioners, ſall paſſe to my Lord Regents Grace, Counſell, and Parliament, to reaſon and conclude upon the heids, articles and deſyris preſentit in his Graces name to this Aſſemblie; to propone, humblie requeiſt and deſyre, in the Kirks name, the granting of ſick heids, articles and redreſſes of complaints as ſall be given to them be the Kirk, the ane and the vther always to be concludit on, conforme to the inſtructions to be delyverit to them. Commiſſioners, Johne Erſkine of Dun, knyght, Superintendent of Angus and Mernis, Mr Johne Spotiſwood, Superintendent of Lothiane, John Wynrhame, Superintendent of Fyfe, John Row, Commiſſioner of Nithiſdaile and Galloway, Andro Hay, Commiſſioner of Ranfrew and Lennox, George Hay, Commiſſioner of Aberdeine and Banfe, David Lindeſay, Commiſſioner of Kyle, Carrick and Cuninghame, David Fergusone, of Dumfermling, John Dunkeſone, of the Kings Majeſties houſe, miniſters, Johne Ogilvie of Innerquharatie, Knyght, Mr William Lundie of that ilk, James Jonſtoun of Elpheiſtoune, William Cunighame of Cunighameheid, Hew Wallace of Carnvall, Thomas Kennedy of Bargany, John Schaw of Grinock, Alexander Forreſter of Carden, or any

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elevin of them, to compear at Stirling the 22 day of this inſtant at nyne houres before noone, to counſell and reaſon, as in the commiſſion given in the laſt Aſſembly.

Seſſio 4ª

[It was ordained, That the act made of before for prayer to be made for the Kings Majeſty, ſhall be execute in all points, with excommunication againſt the diſobedients, conforme to the tenor of the ſamen.

Commiſſion of collectorie was given to the Laird of Aſlowan, within Aberdeen and Bamff.

The Aſſembly conſidering the great troubles and oppreſſing of the Kirk of God and miniſters thereof, in the north parts of this realme, be the Earle of Huntly, his ſervants and complices, and how that Mr Thomas Garden, now preſent collector within the Shireffdome of Aberdeen and Bamff, is not able, be reaſon of the ſaid oppreſſion, to gait any payment to the miniſters which have been long poſtponed and fruſtrate of their ſtipends; in reſpect alſo of diverſe and profitable offers made by John Calder of Aſlowan: therefore the Aſſembly hath thought expedient and concluded to remove the ſaid Mr Thomas Garden, and be theſe preſents removeth and diſchargeth him from the office of collectorie, within the ſaids bounds, not in reſpect of any offence committed be him in the ſaid office, but in conſideration of his preſent inability to diſcharge the ſame: And of new hath elected, nominate and conſtitute, made and ordained, and be the tenor hereof electeth, conſtituteth, maketh and ordaineth the ſaid John Calder of Aſlowan, their Collector within the bounds of the ſaids Sheriffdomes of Aberdeen and Bamff; giving, granting and committing to him full power, authority, ſpeciall command and charge, to aſk, crave and receive, and in name of the Kirk to intromett and uptake all and ſundry the thrids of whatſomever benefices lying within the ſaids bounds; together with the whole fructs of common kirks, and all other common rents, whole fructs and rents of friers lands, places and livings, whole ſuperplus omitted, and benefices or chaplanries not given up in rental being within the bounds above ſpecified, which are be Parliament given and aſſigned to the Miniſtry of the Kirk, of the crope and year of God 1570 years laſt by paſt and of this preſent year and crope: and ſicklike yearly and termly,

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in time coming, whill he be lawfully diſcharged; and ſicklike the reſt of all the thrids and other rents pertaining to the collectorie, within the ſaids bounds, of all years bygone, reſting adebted and unpaid; acquittances and diſcharges thereupon to make, give and ſubſcrive; and, generally, all and ſundry other things to doe, exerciſe and uſe, that to the office of collectorie in ſuch cauſes of law or conſuetude is knowen to pertain: firm and ſtable holding, and for to hold all and whatſomever thing the ſaid collector in the premiſſes lawfully leads to be done; providing alwiſe that he uſe the ſaid office of collectorie and beheave himſelf therein, according to the injunctions given to him thereupon; and make compt, reckoning and payment of his intromiſſion after the form and tenor thereof, and according to the act made upon his offers, the time of his acceptation of the ſaid office. Given, &c.

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A. D. M.D.LXXI.

THE Convention of the Kirk haldin in the Kirk of Leith, 12 January 1571: In the quhilk were preſent the Superintendents, Barrons, Commiſſioners to plant kirks, Commiſſioners of Provinces, Townes, Kirks, and Miniſters. Mr Gilbert Gairdin continuit Moderator.

[Upon the 12 of January there was a Convention of Superintendents, Commiſſioners, Miniſters, Commiſſioners from Towns and Kirks, in Leith, whoſe names doe follow, Johne Areſkine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Spotſwood, Superintendent of Lothian, Mr John Winrame, Superintendent of Fife and Stratherne, Mr David Lindſay, Commiſſioner of Kyle, Carict and Cunninghame, Mr Robert Pont, Commiſſioner of Murrey, Mr Andrew Hay, Commiſſioner of Clidiſdaill, Ranfrew, Lennox; Commiſſioners of Provinces, Towns and Kirks, Robert Grahame of Montroſe, Mr James Halyburton, William Chriſtieſon for Dundie, Mr John Preſton, Adam Fullerton of Edinburgh, John Anſtruther of that ilk, John Beton of Balfour, Patrick Kinnimouth for Fife, Mr William Lundie of that ilk, Thomas Scot of Abbotſhall, Mr John Young for Irving, James Dalrymple for Air, James Cockburne and John Gray for Haddinton, William Lawder of Hawtoun, Knight, Robert Fairley of Braid, James Rig of Carbarrie, James Johnſtoun of Elphinſton for Lothian, Andrew Ker of Fadownſide for Teviotdaill, Walter Cant and Mr William Balfour for the Kirk of Leith, Mr James Wilky for the Univerſity of Saint Andrews; Barons, Thomas Kennedie of Barganie, John

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Lockart of Barr, Hugh Wallace of Carnall, Hugh Montgomerie of Heſſilhead, John Neilſon of Craigaffie; Miniſters, Mr David Lindſay for Leith, John Duncanſon for his Majeſties houſe, Mr Andrew Simpſon of Dumbar, John Brand of Halyrudhouſe, Mr James Carmichael of Hadinton, Alexander Forreſter of Tranent, William Sanderſon of Whittingham, William Harlaw of St Cuthbert, Alexander Blackhall of Cranſton, John Burn of Muſſilburgh, John Durie of Reſtalrig, John Clapperton of (Caldſtreme?), Mr Thomas Cranſton of Peebles, Mr Peter Primroſe of Machlin, Mr John Inglis of Ochiltrie, Mr David Wemes of Glaſgow, George Scot of Kirkaldie, Mr William Edmiſtone of Cargill, Robert Grahame of Abertill, Mr John Rutherford of (Quilt?), Mr William Clerk of Anſtruther, David Ferguſon of Dumfermling, Peter Blackwood of (Salling?), John Dykes of Culroſe, Mr James Panton of , Mr Robert Montgomerie of Dumblane, Mr George Leſly of Kilconquhar, Mr James Melvill of Menmure, James Anderſon of Kettins. C.]

Seſſio 2a

The brethren preſentlie conveinit all in ane voyce concludit, That this preſent Conventioun ſall have the ſtrenth, force and effect of ane Generall Aſſemblie; and that all things be treatit and endit heirin, that may goodlie be done and uſeit to be concludit in any Generall Aſſemblie: Not theleſs, that all ſick brethren as may goodlie travell, conveine to the Generall Aſſemblie to begin in St Androes the ſaxt day of Marche nixt to come; and the Moderatour to continue to that tyme, and make exhortatioun, [as before is ordained] according to the rule.

Seſſio 3a

[The brethren aſſembled, in one voice and mind, gave their full commiſſion and power to the honourable and their beloved brethren, John Areſkine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winrame, Superintendent of Fife and Stratherne, Mr William Lundie of that ilk, Mr Andrew Hay, Commiſſioner of Cliddiſdaill, Mr David Lind-

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ſay, Commiſſioner of Kyle, Mr Robert Pont, Commiſſioner of Murrey, Mr John Craig, one of the miniſters of Edinburgh, or any four of them, to compear before my Lord Regents Grace and ſo many of the Lords of Secret Counſell as his Grace ſhall appoint, in Leith this inſtant moneth of January, and there, in the Kirks name, moſt humbly propone, ſhew and declare the articles, heads, ſupplications and complaints delivered to them be the Kirk preſently aſſembled, moſt humbly requeſting for anſwer thereto; to conferr and reaſon with his Grace and counſell forſaid, upon ſuch heads and articles as ſhall be proponed to them be his Grace and Counſell, and to conclude therein, conforme to the inſtructions given to them be the Kirk, &c., and to report the ſaids heads and articles with their concluſions thereupon to the nixt Aſſembly, to begin at Sanct Andrews the 6 of March nixt to come; to the effect the ſame may be inſert among the Acts of the Generall Aſſembly, &c.: firm and ſtable, &c.

Item, Ordaineth the ſaids brethren to pen the heads and articles for the Kirk; and to deliver the double of them to the clerk, to be regiſtred in the Regiſter of the Aſſembly.

Seſſio 4ª.

Ordained, That William Chriſteſon, Miniſter of Dundie, warn John Calder of Aſlowan, Collector of Aberdeen and Bamff, to reſort to the nixt Aſſembly, to give ane account of his intromiſſions ſince his entry to the ſaid office, and to anſwer to ſuch things as ſhall be laid to his charge, under the pain of deprivation from his office; and Mr George Hay, Commiſſioner for the ſaid countries, to compear before the nixt Aſſembly, to give account of his diligence in execution of his commiſſion.

Seſſio 5ª. January 17.

Compeared Mr Robert Pont, Commiſſioner of Murrey, who declared in the Aſſembly, that through the troubles raiſed in the north, wherethrough, as the brethren were not ignorant, he was not able to travell there in his commiſſionary; in reſpect whereof he demitted his commiſſion ſimpliciter on the Kirks hands, requeſting them to provide for ſuch as they

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thought might profite in the ſaid countrey, that it be not deſtitute of a viſitour. C.]

The Kirk underſtand that my Lord Regents Grace and Counſell was deſyrous that Mr Robert Pont ſould accept the place of ane of the Senators of the Colledge of Juſtice, quhilk he on nawayes wald accept without the advyſe of the Kirk; therfor the haill brethren aſſemblit gives licence to the ſaid Mr Robert to accept and uſe the ſaid place of a Senatour in the Colledge of Juſtice, quhat tyme he ſall be requyrit thereto; provydeing alwayes that he leave not the office of the miniſtrie, but that he exerciſe the ſame, as he ſould be appoyntit be the Kirk: And this their licence to the ſaid Mr Robert to be no preparative to other miniſters to procure ſick promotioun, unleſs the Kirks advyſe be had of befor, and licence obtained thereunto.

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[The Articles and Formes of Letters, concerning proviſion of perſons to benefices, and ſpirituall promotions, agreed upon be the Commiſſion of the Kings Majeſty and the Reformed Kirk of Scotland, in their Conference had at Leith, in the moneth of January 1571.

Apud Leith, xvj die menſis Januarij, anno Domini 1571.

The quhilk day, my Lords Regents Grace, with advice of the Lords of Secret Counſell, in our Soveraign Lords name and authority, gives and grants power and commiſſion to the noble and mighty Lords, James Earle of Morton, Lord of Dalkeith, Chancellor of Scotland, William Lord Ruthven, Theſaurer, Adam Biſhop of Orknay, Robert Commendator of Dumfermling, Secretar to our Soveraign Lord, Mr James M'Gill of Rankeiler-nether, Clerk of Regiſter, Sir John Ballenden of Anchnoule, Knight, Juſtice Clerk, Mr William Lundie of that ilk, Coline Campbell of Glenurquhy, or any four of them, to conveen, adviſe, treat and conclude with the Superintendents and Miniſters in the Kirk, or Commiſſioners authorized be them, anent all matters tending to the ordering and eſtabliſhing of the policy of the Kirk, the ſuſtentation of the Miniſters, and ſupport of the Kings Majeſty, and common affaires of the realme, to continue in ſuch order as ſhall be agreed upon while his Highneſs perfect age; or while the ſame be altered and aboliſhed be the three Eſtates in Parliament: promittand to hold firm and ſtable, all and whatſomever the ſaids Commiſſioners does and concludes in the premiſes. Subſcrived be the ſaid Lord Regent, day, year and place forſaids. Sic ſubſcribitur,

JOHN REGENT.

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Apud Leith, the xvi day of January.

The whole brethren conveened, in one voice and mind, gives full commiſſion and power to the generous and loving brethren, John Areſkine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winrhame, Superintendent of Fife and Stratherne, Mr William Lundie of that ilk, Mr Andrew Hay, Commiſſioner of Ranfrew, Cliddiſdaill and Lennox, Mr David Lindſay, Commiſſioner of Kyle, Carict and Cunninghame, Mr Robert Pont, Commiſſioner of Murrey, Mr John Craig, one of the miniſters of Edinburgh, and Adam Fullertoun, one of the Commiſſioners of the town of Edinburgh, or to any four of them, to compear before my Lord Regents Grace, or ſo many of the Lords of his Graces Counſell as he ſhall appoint, this inſtant moneth of January or thereafter to the ſixth day of March nixt to come; and there, in the Kirks name, moſt humbly propone, ſhew and declare articles, heads, ſupplications, complaints delivered to them be the Kirk preſently aſſembled, moſt humbly requeſting for anſwer thereunto; confer, reaſon and conclude with his Grace and Counſell forſaid, upon ſuch heads and articles as ſhall be proponed to them be his Grace and Counſell, conform to the inſtructions given to them be the preſent Aſſembly; and to conſent to all and whatſomever ſhall be treated in the ſaid time, tending to the glory of God, ſetting fordward the preaching of his word and maintaining thereof, the Kings Majeſties authority, and common wealth of this realme. Whatſomever happeneth to be concluded on be them in the premiſes, to report the ſame to the nixt Aſſembly, to beginn at Sanct Andrews the ſixt day of March nixt to come; or to the effect the ſame may be inſert in the Regiſter of the Aſſembly of the Kirk: firm and ſtable holding, and for to hold all and whatſomever the ſaids brethren or any four of them in the premiſſes conclude to be done, &c. Given in the Generall Aſſembly and ſecond ſeſſion thereof be the Clerk of the ſame, day, year and place forſaid.

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At Leith, the xvj day of Januar 1571.

Anent Archebiſchoprikkis and Biſchoprikkis.

It is thocht, in conſideratioun of the preſent ſtate, That the names and titillis of Archebiſchoppis and Biſchoppis are not to be alterit or innouat, nor ȝit the boundes of the Dioceis confoundit; bot to ſtand and continew in tyme cuming, as thay did befoir the reformatioun of religioun; at leiſt, to the Kingis Maieſties maioritie, or conſent of Parliament.

That perſonis promovit to Archebiſchoprikkis and Biſchoprikkis be, ſafar as may be, indewed with the qualiteis ſpecifeit in the Epiſtlis of Paule to Timothe and Tytus.

That thair be a certane aſſembly or cheptoure of learnit miniſteris annext to euery Metrapolitan or Cathedrall ſeatt.

To all Archebiſchoprikkis and Biſchoprikkis vacand or that ſall happin to vaik heireſter, perſonis qualifeit to be nominat within the ſpace of ȝeir and day eftir the vacance; and the perſonis nominat, to be xxx ȝeirs of age at the leiſt.

The Deane, or failȝeing the Deane, the nixt in dignitie of the Cheptoure, during the tyme of the vacance, ſalbe Vicar generall and vſe the juriſdictioun in ſpiritualibus as the Biſchop mycht have vſit.

All Biſchoppis and Archebiſchoppis to be admittit heireſter, ſall exerce na farther iuriſdictioun in ſpirituall functioun nor the ſuperintendentis hes and preſently exerces, quhill the ſame be agreit vpoun; and that all Archebiſchoppes and Biſchoppis be ſubiect to the Kirk and Generall Aſſembly thairof in ſpiritualibus, as thay ar to the King in temporalibus; and haif the aduiſe of the beſt learnit of the Cheptoure, to the nowmer of ſex at the leiſt, in the admiſſioun of ſic as ſall haue ſpirituall functioun in the Kirk; as alſua that it be lauchfull to als mony vtheris of the Cheptoure as pleſis, to be preſent at the ſaid admiſſioun, and to voit thairanent.

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Anent Abbacijs, Priorijs, and Nunrijs.

That na diſpoſitioun or proviſioun ſalbe maid of ony abbaceis or prioreis now vacand or that heirefter ſall happin to vaik; nor na letters ſalbe grantit be the Lordes of Seſſioun for anſuering the fruitis of ony pairt thairof to ony perſoun or vſe, quhill firſt it be conſiderit quhat portioun of the rentis conſiſtis in kirkis and teindis, and quhat portioun in temporall landes: And, firſt of all, prouiſioun ſalbe maid be auiſe of the Biſchop or Superintendent, within quhais province the abbacy or priorie lyis, how the miniſterie belanging thereto ſalbe ſuſtenit of the fruitis belanging to the ſame kirkis, gif it be poſſible, be ſpeciall aſſignatioun of ſamekle ȝeirlie ſtipend as ſalbe found reaſonable, and be appoynted be the Biſchop or Superintendent of the province, and ſic of the Kingis Maieſties Counſale as ſalbe direct to accord with him thairvpoun.

As for the remanent proffite and title of the benefice, becaus the poſſeſſoure of the ſame mon ſupplie the place of ane of the Eccleſiaſticall Eſtate in Parliament, neidfull it is, that he quha ſall haue the ſtile, title and place of Abbot, Priour, or Commendatar, be well learnit and qualifeit thairfore; and for triall of his qualificatioun, the Kingis Maieſties letter commendatary vnder the ſignet, ſalbe direct to the Archebiſchop or Biſchop of the province, quhairin the abbay or priory lyis, to try and examinat his learning and habilitie; and vpoun teſtimoniale of his habilitie fra the Ordinar, the perſoun nominat ſall compeir befoir the King and Regent, and gif his ayth in forme as the Biſchoppes dois; and then ſall the Kingis letters and prouiſioun vnder the great ſeill be exped, direct to the Ordinar, Biſchop of the province, or vtheris brouking the dignities or ſuperiour offices in the ſeatt, to gif him inſtitutioun.

The preſent Convent of ony abbay or priory being haill departit this lyff, in thair places, the miniſteris ſerving the kirkis of the ſame abbay or priory ſalbe the Cheptoure, or aſſeſſouris to the Commendatar, in geving of ony infeftmentis, takkis, richtis or diſpoſitionis of rentes concerning the leving.

That the perſonis thus prouidit and admittit Commendatares, may be promouit as thay ſalbe found worthy, to be Senatours for the Spirituall Eſtate in the College of Juſtice; or may be employit be the King in the neceſſar effaires of the common weill; it being firſt prouidit, that na kirk belanging to thair leving be deſtitute of miniſtratioun, and the conſent and beneuolence of the Ordinar alſua obtenit thairto.

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Anent Benefices of cure vnder Prelacijs.

All benefices (vnder prelacijs) havend cure of ſaules, quhilkis ayther of auld pertenis to the Kingis patronage, or newly ar cum in vſe, and be Parliament ordanit to be at his Hienes patronage, ſall ſua continew conforme to the Actes of Parliament; and that the lawic patrones alwayes brouke and vſe thair awin richtis.

Nane ſalbe admittit or reſſauit to ony benefice of cure, bot ſic as ar qualifeit; and ſall then enter in the functioun of the miniſterie alſone as they reſſaue ony fruitis of the benefice, and ſua continew.

Nane ſalbe admittit to the office of a miniſter within the aige of xxiij yeris compleit.

Quhair perſonages and vicarages ar coniunct, ſa ſall thay remane; and, likwiſe, quhair they ar ſeparat and diſiunct, ſa to continew.

It ſall not be lefull to ony enterand in the functioun of the miniſterie, to leif that vocatioun and the place appointed for his reſidence, abone the ſpace of fourty dayes in the geir, without a lauchfull impediment, and licence baith of the King, and Ordinar quhair the benefice lyis, vnder the pane of depriuatioun.

All ſic as ar or ſalbe found worthy and qualifeit miniſteris and preacheris, ſalbe plantit and deſtributed throuchout the haill realme: and that thair be redaires ſpecialie appointed at euery ſeuerall kirk, quhair convenientlie it may be, quhilkis being found qualifeit be the Biſchop or Superintendent, and enterand be the lauchfull order of the true reformit Kirk, ſall miniſtrat the ſacrament of baptyſme, and mak mariages eftir proclamatioun of the bannes lauchfullie and orderlie as efferis.

All vicarages of or within the geirlie value of fourty pundes, may be conferred to redaires; but gif thay exceid the rent, nane to be admitted to thame bot ſic as can preache or miniſter.

Item, Lik as quhair the rent of the benefice is ſmall, the ſtipend mon be eikit; ſa quhair the rent of the benefice is gretar nor the appointit ſtipend of that place, the ſuperplus ſall ly and be comptable to the ſupplie of vther rowmes not ſa plenteous, be the Ordinar, with auiſe of ſic as the King ſall appoint to accord thairvpoun.

That all commoun kirkis be diſponit as benefices to qualifeit perſones.

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That nane be admittit heirefter to pluralitie of benefices with cure. The laſt preſentatioun of the lawic patroun ſhall be admittit and preferrit.

The Vniuerſities within quhilkis thair is exerciſe of liberall Science, ſall brouke the patronage of the kirkis and chapellanries annext to thair Collegis, preſentand qualifeit perſonis to the kirkis; and burſaires within thair awin College to the chapellanries; quhairin gif thay failȝe, the Ordinar to diſpone the ſame, jure deuoluto; and failȝeing the Ordinar, the King.

Conſidering that the conſervatioun and purgatioun of the religioun cheiflie appertenis to chriſtiane and godlie kingis, princes, rewlayres and magiſtratis; and that it is maiſt requiſite that the kirkis within this realme be ſeruit be paſtoures of ſound religioun, obedient to the authoritie of the Kingis Maieſtie oure Souerane Lord, it is deliberat, concludit, ſtatute and ordainit be my Lord Regentis Grace, in his Hienes name, with auiſe of the Lordes of his Hienes Previe Counſell and of the Commiſſioners of the reformit Kirk of Scotland, That euery perſoun quha ſall pretend to be a miniſter of Goddes word and ſacramentis, or to brouke and poſſeſs ony ſpirituall promotioun or leving quhatſumeuir furth of ony benefice or ſpirituall promotioun, ſall, in the preſence of the Biſchop or Superintendent of the diocy quhair he has or ſall haue eccleſiaſticall leving, bering title of benefice, ſtipend, penſioun or portioun, declair his aſſent, and ſubſcriue to all the articles of religioun, quhilkis only concernis the confeſſioun of the trew chriſtian fayth and the doctrine of the ſacramentis, contenit in the Actes of Parliament halden in the firſt ȝeir of the reigne of oure Souerane Lord that now is, intitulat, "The Confeſſioun of the Faith and Doctrine beleuit and profeſſit be the Proteſtantes of the realme of Scotland, exhibeit to the Eſtates of the ſame in Parliament, and be thair publict votes authorized as a doctrine foundit vpoun the infallible word of God"; and gif his aith for acknawleging and recognoſcing of the Kings Majeſtie and his authority, according to the form preſentlie ſett out; and ſall bring from the Biſchop or Superintendent a teſtimoniale in writing, of ſic aſſent, ſubſcriptioun and aith; and oppinlie, on ſum Sonday, in tyme of ſermon or publict prayers in the kirk, quhair, be reſſoun of his eccleſiaſticall leving, he aucht to attend, or of the fruitis quhairof he reſſauis commoditie, reid baith the Teſtimoniale and the Confeſſioun; and of new mak the ſaid aith, within the ſpace of ane moneth eftir his admiſſioun or prouiſioun to the ſame eccleſiaſticall leving or ȝeirlie commoditie, vnder the pane that euery perſoun that ſall not do as is abone appointed, within the ſpace foirſaid, ſalbe, ipſo facto, depriuit, and all

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his eccleſiaſticall promotiones ſalbe vacand, as gif he wer than naturallie deid; and that all perſonis to be admittit to Prelacijs, quhairby thay ar to haue vote in Parliament, mak the ſaid ayth in preſence of the King, his Regent, or Privy Counſell, within the ſaid ſpace, vnder the pane abone-written.

It is deliberat, thocht expedient and commandit, That all Biſchoppes, Superintendentes, Preachers and Miniſteris of the word of God, ſall erneſtlie and diligentlie admoniſche the people within thair cures, to contineẅ in thair faith and obedience to the Kingis Maieſtie oure Soueraiṅe Lord his Regent and authoritie; and quhaſaeuir hes maid defectioun or heireſter ſall mak defectioun from the ſame obedience, to admoniſh thame; and in cais of thair wilfulnes and obſtinacy, to proceid agains them be cenſures of the Kirk, to excommunicatioun.

Of Proueſtrijs of College Kirkis, and vtheris benefices vnder Prelacijs, quhairvnto diuers kirkis ar annext.

That na diſpoſitioun or prouiſioun be maid of ony deanryes or proueſtreis of College kirkis, or vther benefices vnder Prelacijs, quhairvnto diuers kirkis ar annext, now vacand or that heireſtir ſall happin to vaik; nor that na letters be grantit be the Lordes of Seſſioun, for anſwering the fruitis of ony part thairof to ony perſoun or vſe, quhill firſt it be conſidderit quhat is the rent of the benefice and quhairin it conſiſtis; and that prouiſioun be maid, how the miniſterie of euery ane of the ſeuerall kirkis ſalbe ſuſtenit of the fruitis of the ſame kirkis, gif it be poſſible, be ſpeciall aſſignatioun of ſamekle ȝeirlie ſtipend as ſalbe found reaſonable, and be appointed be the biſchop or ſuperintendent of the province, and ſic of the Kingis Counſale as ſalbe direct to accord with him thairvpoun.

Item, Gif the leving baith of the proueſtreis and prebendaries be foundit vpoun the fruitis of the paroche kirk, the kirk ſall firſt be prouidit of a miniſter, and ſpeciall aſſignatioun maid for his payment, befoir the titill of the haill be diſponit to ony ane perſoun.

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Of the diſpoſitioun of Proueſtreis Prebendareis in College Kirkis, foundit vpoun temporall landes or annuellis, as alſua of Chapellanreis being of the like foundatioun, for ſupport of the ſcoles and incres of Letters.

All proueſtreis and prebendaries in College kirkis, foundit vpoun temporall landes or annuellis, and all chaiplanryes being of the like foundatioun, now vacand or that ſall happin to vaik, ſalbe gevin and diſponit be the Kingis Maieſtie, or vther lauchfull patronis, to burſaires and ſtudentis in Grammer, Art, Theologie, the Lawes, or Medicine, in maner following; that is to ſay, the certane rentale ſalbe inquirit be the Biſchop or Superintendent of euery diocy, of all proueſtreis, prebendaryes or chapellanries being within thair diocyes; and thairvpoun ane buke ſalbe deliuerit be thame to the Regent, and remane in the Regiſter, betuix and the laſt day of March nixtocum.

Item, All proueſtreis, prebendaries or chaipellanries being of or within the ȝeirlie rent of xx merkes, ſalbe gevin to a burſar in Grammer; and of the ſowme of xx lb. or within, abone xx merkes, to a burſar in Art; and all of the ſowme of xxx lb. or within, abone the ſowme of xx lb. to a burſair in Theologie, Lawes, or Medicine.

Nane ſalbe admittit a burſair in Grammer being vnder the aiȝe of ſevin ȝeirs, nor paſt the aige of xiiij; and ſall brouke the commoditie during the ſpace of ſevin ȝeirs only.

Nane ſalbe admittit a burſar in Art being vnder the aige of xiiij ȝeirs; and ſall brouke the commoditie during the ſpace of five ȝeirs only.

Nane ſalbe admittit burſair in Theologie, the Lawes, or Medicine, quhill he be firſt paſt Maiſter in Arte in ane of the Vniuerſities of this realme; and ſall brouke the commoditie during the ſpace of ſex ȝeirs only.

All burſaires in Grammer ſalbe preſented to a Grammar ſcole in ane of the Vniuerſities, or vther famous ſcole in ane of the cheif burrowis or townes of the realme.

All burſaires or ſtudentis nominat to ſic proueſtreis, prebendaries and chaipellanries within the diocyes of Abirdene, Murray, Roſs, Caithnes and Orknay, ſalbe preſentit to ſtudy thair Art, Theologie, the Lawes, or Medicine in the College of Abirdene.

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All within the diocijs of Sanct Androis, Dunkell, Dumblane and Brechin, to ſtudy thair Art, Theologie, Lawes, or Medicine, within ane of the Colleges of the Vniuerſitie of Sanct Androis, quhair my Lord Regentis Grace or the patronis ſall appoint.

All within the diocyes of Glaſgow, Galloway, Argile and the Iles, to ſtudy thair Art, Theologie, the Lawes, or Medicine, within the Pedagogy of Glaſgow.

Nane ſalbe admittit to pluralitie of proueſtreis, prebendareis and chaippellanreis; and quhair ony proueſtrie or prebendarie excedis the ſowme of xxx lb. in geirlie rent, it ſalbe diuidit, and ſamekle thairof appointit to the burſair of Theologie, the Lawes, or Medicine, and the remanent, according to the rait and value, to ane vther burſar: And gif ony paſt his cours in Grammar be deſirous to pas to the Vniuerſitie, and ſtudy in Art, Theologie, the Lawes, or Medicine, the chaipellanry or prebendarie he had of befoir, may be of new conferrit to him, during his ſtudy in ony ane of the ſaidis Sciences, he haveand alwyſe new preſentatioun in ordinar forme.

The burſaires nominat ſall firſt be found be the Maiſter or Principall of the College of ſic aige as is befoir written, and apt for the ſtudy in ſic faculty as he is ordanit vnto, befoir he gett the Kingis or vther patronis gift, and that vpoun report or teſtimoniale from the Maiſter or Principall of the College, according to the forme and order preſcriuit; and gif he continewis not at the ſtudy during the tyme and in place appointit, or vtherwiſe gevis occaſioun of deprivatioun, he ſalbe depriuit, and ane vther nominat and prouidit of new; quhairin the Kingis Maieſtie and vtheris patronis ſall alwyſe haue thair place and patronage; and the maiſter ſall certefie the cauſs of deprivatioun to the patroun within a moneth efter the ſame, that the patronis may preſent within ſex monethes of new.

Generall Articles for Reformatioun of certane Abuſes.

Quhaireuir actioun or pley is or ſalbe tueching the payment of thriddes, befoir he that is in poſſeſſioun of the thrid be hard or admitted in proceſſe, he ſalbe haldin to find cautioun to pay the miniſteris ſeruing the kirk or kirkis of the benefice, out of the quhilk the ſame thrid ſuld be payit of thair appointit ſtipendis, ſa far as the thrid extendis to, during the dependance of the pley.

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Item, In further pvniſhment of the perſonis now at the horne, or ſall happin to be denuncit rebellis, for non payment of the thriddis, and to further the recovery of payment of the ſame, That the perſonis gevin in dewly execute and indorſat at the horne, be chargit to compeir befoir the Regent and Lordes of Secrete Counſale at ane certane day, to anſuer to ſic things as ſalbe inquirit of thame; at quhais comperance thay ſalbe accuſit for thair contempt, and ſalbe committit to waird quhill they haue payit the debt and obtenit thameſelffis relaxt fra the horne; and that the Soliſtar of the Kirkis effaires await diligentlie heirvpoun, according as he ſall reſſaue aduertiſment of the difobedientes fra the collectouris or vtherwiſe.

Item, That all ſewes, rentales or takkis of ony ſpirituall levingis and promotionis, to be maid efter the dait of this preſent Act, in diminutioun, hurt or preiudice of the preſent rentale, ſalbe in law null and of nane avale. And that the certantie of the preſent rentale may be knawn, the Commiſſioners of the Kirk hes takin in hand to caus the ſame be drawin in ane autentik forme, betuix and the laſt day of Marche nixtocum, and a buke of the ſame deliuerit to remane with my Lord Regent to the Kingis vſe; to the effect that mair formaly reſolutioun may be takin in the nominatioun and diſpoſitioun of all benefices.

Item, The Lordes of Seſſioun of the Spirituall Eſtate vnder Prelacijs that cleamys the immvnitie of payment of thair thriddes, ſall, at the leiſt, pay the ſtipend of the miniſteris ſeruing at thair awin kirkis, as the ſame ſalbe modefeit and appointed be the Commiſſioners from the Kingis Counſale and Kirk.

Item, It is thocht meit, that be ane act and warrand of the Secrete Counſale, the Proueſtis and Baillies of all burrowis that hes gottin the gift of thair annuellis, be chargit to ſend, with thair Commiſſioners to Parliament, thair giftes to be ſene and conſidderit, the rentals of ſic thingis as thay haue in poſſeſſioun or can cleame be the ſaidis giftes, to the end that it may be ſene that the thing diſponit be employit to godlie vſes, according to the intentioun of the gevares and forme of the giftes.

For ſupport of the pure in a part, That all to be admittit to ſpirituall promotioun, heirefter to be haldin to pay the tent part of all ſic portioun of thair ſpirituall promotionis and levings as conſiſtis in teyndis, to the pure.

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The Maner of Creating of a Biſchop.

Truſty and weilbelouit, We great ȝou weill: Forſamekle as the Biſchoprik of A. preſentlie vaikis be the deceis or forfaltour &c. of the late incumbent of the ſame, and calling to oure rememberance the virtu, learning, gude conuerſatioun and vther godlie qualiteis of oure truſty and weilbelouit B. C., preacher of the word of God, We haue thocht gude, be thir oure letters, to name and recommend him to ȝow, to be choſin to the ſaid biſchoprik of A.: Quhairfore We require ȝow immediatelie vpoun the recept heirof to proceid to ȝoure electioun, according to the lawes of oure realme, and oure licence to cheis, ſend vnto ȝow heirwith; and the ſame electioun ſua maid, to certefie vnto ws vnder ȝoure commoun ſeill. Gevin vnder oure ſignet and ſubſcriuit be oure richt traiſt couſing, Johnne Erle of Marr, Lord Erſkein, Regent to Ws, our realme and liegis. At, &c.

Licence to Cheis.

Oure Souerane Lord, with auiſe and conſent of his richt traiſt couſing, Johnne Erle of Mar &c., ordanis ane letter to be maid vnder the great Seill in dew forme, direct to the Deane and Cheptoure of the Cathedrall kirk of N., makeand mentioun, That it is humblie menit to his Hienes and his ſaid Regent on the part of the ſaidis Deane and Cheptoure, how the kirk forſaid preſentlie vaikis and is deſtitute of a paſtour be the naturall death or be forfaltour &c. of the laſt biſchop thairof, and that his Hienes will grant thame licence to cheis ane vther biſchop and paſtour: His Maieſtie fauorablie inclynand to thair deſire, hes thocht gude to grant the ſame; requiring the ſaidis Deane and Cheptoure to cheis ſic ane in biſchop and paſtour of the ſaid biſchoprick, that ſalbe devote to God, and to his Hienes and his realme, proffitable and faythfull; and that preceptis be direct heirvpoun in dew forme as effeiris. Subſcriuit be the ſaid Regent. At, &c.

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The forme of Edict to conuene the Cheptoure for Electioun.

Forſamekle as oure Souerane Lordes letters vnder his Hienes great ſeill, ar direct to the Deane and Cheptoure of the Metrapolitane kirk of A. grantand thame licence to cheis ane vther biſchop and paſtoure, the ſett now vaçand be the naturall death of the laſt biſchop thairof; requiring thame to cheis ſic ane in biſchop and paſtoure of the ſame, as ſalbe devote to God, and to his Hienes and his realme, proffitable and faithfull. And to the effect that the electioun may proceid to the pleaſoure of God, and to the weill of the King, the Kirk and realme, the day of is appointit; requiring and charging heirfore all the godlie miniſteris within the ſaid diocy, nominat and appointed to repreſent the Cheptoure in the reformit Kirk, that they be preſent at B. the ſaid day, to doe and performe that quhilk to thame in the ſaid electioun appertenis. Subſcriuit, &c. At, &c.

The teſtimoniale of the Deane and Cheptoure returnit to the King and his Regent.

To the richt excellent, richt heich and michtie Prince James, be the grace of God, King of Scottis, oure Souerane Lord, ȝoure Maieſties daylie oratouris and humble ſubiectis, the Deane and Cheptoure of the Cathedrall kirk of N. humble reuerence and ſubmiſſioun: Forſamekle as we having ȝoure Hienes licence to cheis ane biſchop and paſtoure to the ſaid kirk now vacand be the deceis of the laſt incumbent, hes tryit and examinat the qualificatioun of our weilbelouit brother, N. nominat and recommendit be ȝoure Maieſtie, quhome we haue found a perſonage indewit with virtew, learning, gude conuerſatioun and vther godlie qualities, and able to diſcharge the office of ane biſchop in the Kirk of God; and thairfoir hes electit him thairvnto, humelie craving and requiring ȝoure Hienes to grant ȝoure Royall aſſent and approbatioun to oure ſaid electioun, be ȝour Maieſties letters vnder ȝoure great ſeale, in dew and competent forme as efferis. Gevin vnder oure commoun ſeill and ſubſcriuit with oure handes. At, &c.

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In cais the Perſoun nominat be not found qualifijt.

Hes tryit and examinat the qualificatioun of N. nominat be ȝoure Maieſtie, and findis him not qualifeit in the haill or part of the qualities requirit in a biſchop; maiſt humbly thairfoir craving and requiring ȝoure Hienes, That, with all convenient expeditioun, ſum other ſufficiently qualifeit may be of new nominat and recommendit to the ſaid biſchoprik, that the kirk of God be not deſtitute of a paſtoure.

The Confirmatioun, Prouiſioun, and Royal Aſſent, vpoun the Cheptoures certificat maid of their electioun.

Our Souerane Lord, with auiſe and conſent, &c. ordains ane letter to be maid vnder the great ſeill in dew forme, direct to the maiſt reuerend Father in God and his Hienes weilbelouit A. be the permiſſioun of God, Archebiſchop of S. or to quhatſumeuir vther biſchoppes to quhome in this part it appertenis, makand mentioun, That, the ſeitt of N. latelie vacand be the naturall death of the laſt biſchop thairof, or be forfaltour, tranſlatioun, dimiſſioun or depriuatioun, &c. his Hienes, at the humble petitioun of the Deane and Cheptoure of the Cathedrall kirk of N., be his Maieſties letters vnder the great ſeill, hes grantit licence to thame to cheis ane vther in biſchop and paſtoure of the ſeitt foirſaid. The ſame Deane and Cheptoure, be virtew of the ſaid licence, hes choiſit his Hienes weilbelouit, A. B. precher of the word of God, in biſchop and paſtour to thame of the ſaid kirk; as be thair letters vnder thair commoun ſeill directit to his Hienes mair plainly may appeir: Thairfoir our ſaid Souerane Lord acceptand the ſaid electioun, hes gevin his royall aſſent thairto, as alſua his fauour; and ſignifeis the ſame to the ſaid Archebiſchop or Biſchop be the ſaid letter, requiring, and in faith and luſe quhairby thay ar haldin to his Maieſtie, commanding thame to conſecrat the ſaid A. B. electit, as ſaid is, in biſchop and paſtoure of the kirk foirſaid, and to confirme the ſaid electioun, and all and ſindre vther thingis to do belangand to thair paſtoral office in that part, efter the forme of the lawis of this realme, with all diligence, fauour and effect. Subſcriuit be the ſaid Lord Regent. At, &c.

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Gif he be a Biſchop already, and is to be tranſlatit, then to vſe thir wordes.

And the ſame A. B. biſchop and paſtoure of the Cathedrall Kirk foirſaid, be tranſlatioun to confirme, &c.

Efter the Conſecratioun, the new maid biſchop ſall compeir befoir the Kingis Maieſtie or his Regent, and mak his ayth, as followis.

I, A. B. now electit biſchop of S. vtterlie teſtefeis and declaires in my conſcience, That ȝoure Maieſtie is the only lauchfull and ſupreme Governour of this realme, as well in things temperall, as in the conſervatioun and purgatioun of the religioun; and that na foreyne prince, perſoun, prelat, ſtate, or potentat, hes or aucht to haue ony juriſdictioun, power, ſuperioritie, preheminance or authoritie Eccleſiaſticall and Spirituall within this realme; and thairfore I vtterlie renunce and forſake all foreyne juriſdictionis, powers, ſuperioriteis and authoriteis, and promiſes that fra this furth I ſall and will beare fayth and trew allegeance to ȝoure Maieſtie, ȝoure aires and lauchfull ſucceſſours; and to my power ſall aſſiſt and defend all juriſdictiones, preuilegis, preheminances and authoriteis grantit and belangand to ȝoure Hienes, ȝoure aires and lauchfull ſucceſſours, or vnyted and annext to ȝoure Royale croun: and farther I acknawlege and confeſſe to haue and hald the ſaid biſchoprik and poſſeſſionis of the ſame, vnder God, only of ȝoure Maieſtie and croun Royale of this ȝoure realme: And for the ſaidis poſſeſſionis I do my homage preſentlie to ȝoure Maieſtie, and to the ſame ȝoure aires and lauchfull ſucceſſours ſalbe faithfull and trew. Sa help me God.

Reſtitutioun of the Biſchoppes Temporalitie.

Oure Souerané Lord, with auiſe and conſent of his richt traiſt couſing, &c. ordanis ane letter to be maid vnder the previe ſeill in dew forme, makand mentioun, That, the biſchoprik of N. vacand be the deceis of the laſt

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biſchop thairof, the Deane and Cheptoure of the Cathedrall kirk foirſaid, be his Hienes licence ſocht and obtenit, hes electit his Hienes weilbelouit A. B. prechear of the word of God, in thair biſchop and paſtoure: To quhilk electioun and perſoun electit his Maieſtie hes gevin his Royale aſſent and fauour, and hes reſſauit his fidelitie dew to his Hienes for the ſaid biſchoprik, reſtorand to him the temporaliteis thairof be thir preſentis; and that the ſaids letters be extendit in the beſt forme with all clauſes neidfull, with command in the ſamine to the Lordes of Counſale and Seſſioun, to grant and gif letters in the foure formes, at the inſtance of the ſaid A. B. now electit, admittit and confirmit Biſchop of C. to caus him to be anſuerit and obeyit of the ſaid temporalitie thairof, and vthers fruitis and rentes of the ſame fra the feiſt of D. laſt bipaſt, in dew and competent forme as efferis. Subſcriuit be the ſaid Lord Regent.

Touard the Chapters of Metropolitan and Cathedrall Kirkis.

Becaus diuers of the Deanryes, and vther dignities and benefices callit Channonreis and Prebendareis in Metropolitan and Cathedrall kirkis, ar poſſeſſit be perſonis that hes not maid profeſſioun of the trew religioun; and vtheris that, althocht thay haue maid profeſſioun of the trew religioun, ȝit haue not enterit be lauchfull order of the trew reformit Kirk in the functioun of the miniſterie, and ſa nather the ane nor the vther ſort ar thocht meit to haue vote in the electioun of the trew biſchop; thairfoir, in tyme cuming, this order ſalbe obſeruit as interim, alſweill for biſchoprikkis now vacand or that heirefter ſall happin to vaik, ſalang as the benefices of the auld Cheptoure are not in the poſſeſſioun of the miniſterris of the Kirk profeſſouris of the trew religioun, that is to ſay, ſa mony of the auld ordinar Cheptoure as ar preſentlie lauchfull Miniſteris and profeſſoures of the ſaid trew religioun, ſall haue thair awin vote, place and priuilege; and in place of ſa mony of the vtheris, preſent poſſeſſoures of the benefices of the Cheptoure, now poſſeſſit be perſonis not profeſſing the trew religioun, or that has not enterit or ſall not enter be lauchfull order of the trew reformit Kirk, in the functioun of the miniſterie, ſalbe nominat als mony of the maiſt godlie and learnit miniſterris ſeruing the kirkis within that province.

It is conſidderit, that of the Archebiſchoprikkis within this realme and Biſchoprikkis, twa, viz. Sanct Androis and Galloway, had Chaptoures in

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Cloiſteris, and the Cheptoures of the remanent kirkis wer perſonis of paroche kirkis; and thairfoir ſa lang as the benefices of the Cheptoure ar not in poſſeſſioun of the miniſterris of the reformit Kirk, profeſſours of the trew religioun, quhilk, God willing, with tyme (the preſent poſſeſſoures depart-and this mortale lyff) ſalbe, this order is thocht meit for the electioun.

Firſt, For the ſeitt of Sanct Androis, That ſa mony of the auld Cheptoure as levis, and ar miniſteris profeſſouris of the trew religioun, ſall ſtill be of the Cheptoure during thair naturall lyves; viz.

The Biſchop of Caithnes, Commendatar of the Priorie of Sanct Androis, Deane.
The Priour of Portmook.
Patrik Boncle, Miniſter at Pallady kirk.
John Gudefallow, Miniſter at Egliſgreg.
Nicoll Spittell, Miniſter at Langforgound.
Dauid Robertſoun, Miniſter at Roſſy.
John Vre, Miniſter at Lewchirres.
Peter Ramſay, Miniſter at Derſy.
Peter Watſoun, Miniſter at Merkinche.
Alexander Mure, Miniſter at Kilgoure.
Patrick Kinlochy, Miniſter at Linlythgow.
Johnne Duncanſoun, Miniſter at Striueling.
Maiſter William Braidfute, Miniſter at Lathriſk.
Maiſter Thomas Biggar, Miniſter at Kingorne.

The Cheptoure or Aſſembly of the Archebiſchop of Sanct Androis aſſeſſouris, conſiſt, in tyme to cum, efter the death of the preſent Convent of the abbay, in xxj perſonis heireftir nominat, quhilkis perſonis nominat ſall repreſent the Cheptoure in electioun of the Archebiſchop; and ſiclike, in tyme cuming, for electioun and ſpirituall effaires, alſweil befoir as efter the death of the Convent, without preiuging the auld Convent during thair lyftymes, in things temporall.

The Priour of Sanct Androis, Deane.
The Priour of Portmook.
The Miniſter of Edinburgh.
The Miniſter of Leith.
The Miniſter of Linlythgow.

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The Miniſter of Striueling.
The Miniſter of Dumbar.
The Miniſter of Hadingtoun.
The Miniſter of Perth.
The Miniſter of Carrale.
The Miniſter of Coupar.
The Miniſter of Anſtruther.
The Miniſter of Dyſart.
The Miniſter of Kirkcaldy.
The Miniſter of Kingorne.
The Miniſter of Dumfermling.
The Miniſter of Abirbrothok.
The Miniſter of Calder in Lowtheane.
The Miniſter of Fettercarne.
The Miniſter of Duns.
The Miniſter of Methven.

That in the ſeitt of Archebiſchoprik of Sanct Androis, vnder the Archebiſchop, thir Dignities or Superiour offices in the Kirk be retenit, quhilkis ſucceſſiuelie having the Kings licence to cheis, ſall convocat the Cheptoure to that effect.

The Deane quhais leving is and ſalbe the Priorie.
The Archedeane of Sanct Androis.
The Archedeane of Lowtheane.
The Chancellair, quha ſalbe the Proueſt of the Queinis College beſide Edinburgh.

And, in the meyntyme, quhill the levingis of the ſaidis Archedeanryes and Chancellarie vaik be the death of the preſent poſſeſſours, quhilkis ar not in the functioun of the Miniſterie, the offices ſalbe ſeruit be

Maiſter John Winrhame, as Archedeane of Sanct Androis.
Mr Johnne Spottiſwood, Archedeane of Lowtheane.
Mr Dauid Lindeſay, as Chancellair.

Nota. The like order for the Biſchoprik of Galloway to be takin.

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For the ſeatt of Glaſgow.

The Cheptoure conſiſtit in xxxij Channonreis or Prebendaries foundat vpoun diſtinct and ſeuerall benefices; that is to ſay,

Deanrie; the perſonage of Hammyltoun.
Chanterie; perſonage of Kilbride.
Chancellarie; perſonage of Campſey.
Theſaurarie; perſonage of Carnweth.
Subdeanrie; perſonage of Calder and Monkland.
Archdeanrie; perſonage of Pebles and Maner.
Archdeanrie of Teviotdaill; perſonage of Morbottill.
Perſonage of Glaſgow.
Perſonage of Stobo.
Perſonage of Govane.
Perſonage of Renfrew.
Perſonage of Erſkin.
Subchantorie; perſonage of Duriſdeir.
Perſonage of Carſtaires.
Perſonage of Sanquhair.
Perſonage of Egliſhame.
Perſonage of Air.
Perſonage of Cardrois.
Perſonage of Kirkmaho.
Lord Provand.
Perſonage of Douglas.
Perſonage of Ancrum.
Perſonage of Cambuſlang.
Perſonage of Cumnok.
Perſonage of Auld Roxburgh.
Perſonage of Aſkirk.
Perſonage of Moffett.
Perſonage of Killerne.
Perſonage of Bothernok.
Perſonage of Eddieſtoun.
Perſonage of Torboltoun.
Perſonage of Lus.

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Off the preſent poſſeſſoures of the benefices, onlie ſex ar enterit in the functioun of the miniſterie, quhilkis ſalbe of the Cheptoure for the electioun of the Archebiſchop; as alſua how ſone the remanent preſent poſſeſſoures departes this lyff, the benefices ſall alwyſe be diſponit to qualifeit perſonis that ſall entir in the functioun of the miniſterie, and thay to be of the Cheptoure; and quhill the perſonis preſent poſſeſſoures, not enterit in the functioun of the miniſterie, be departed this lyff, to the ſex of the Cheptoure quhilkis ar already miniſterris ſalbe adionit the vtheris miniſterris following, to repreſent and ſupplie the Cheptoure in electioun of the Archebiſchop.

The names of the ſex of the Cheptoure that ar already Miniſters.

Maiſter Johnne Coluile, Miniſter at Kilbryde.
Maiſter Andro Hay, Miniſter at Renfrew.
Maiſter Petir Zoung.
Maiſter James Striueling.
Maiſter George Hay.
Maiſter Johnne Hammyltoun.

The perſonis adioynit.

The Miniſter of Glaſgow.
The Miniſter of Dumbertane.
The Miniſter of Irwing.
The Miniſter of Air.
The Miniſter of Lanerk.
The Miniſter of Hammyltoun.
The Miniſter of Campſey.
The Miniſter of Cammonell.
The Miniſter of Mauchline.
The Miniſter of Vchiltrie.
The Miniſter of Stevinſoun.
The Miniſter of Kirkpatrik.
The Miniſter of Peibles.
The Miniſter of Rutherglen.
The Miniſter of Stratoun.

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That in the ſeitt of the Archebiſchoprik of Glaſgow, vnder the Archebiſchop thir digniteis as ſuperiour offices in the Kirk be retenit, quhilkis ſucceſſiuelie having the licence to cheis, ſall convocat the Cheptoure to that effect.

The Deane.
The Archedeane of Glaſgow.
The Archedeane of Teviotdale.
The Chancellair.

The levingis of thir digniteis and offices ar knawin, and efter the death of the preſent poſſeſſoures, perſonis qualifeit miniſteris being placit in the levingis, ſall alſua diſcharge the offices; and in the meyntyme of the electioun of the ſaid Archebiſchop, thir perſonis ſall repreſent and ſupplie the ſamine offices;

Maiſter Andro Hay, Deane.
Mr James Greg, Archedene of Glaſgow.
Mr Johnne Coluile, Archedene of Teviotdale.
Mr Dauid Wemys, Chancellair.

Without preiudice of the preſent Cheptoure during thair lyftymes in thingis temporall.

The like order toward the remanent Biſchoprikkis, having benefices appointed to ſic as ſould be of the Cheptoures.

The forme of a letter direct to the Ordinar, or, the ſeitt vacand, to the Deane, or vther nixt conſtitute in dignity of the Cheptoure, in the fauour of a perſoun to be promovit to ane Abbacy or Priory.

Reuerend Father in God, We great zow weill: Forſamekle as the Abbacy or Priory of A. preſentlie vaikis be the deceis of the late incumbent of the ſame; and having already maid prouiſioun how the miniſterie of the kirkis of the ſame ſuld be ſuſtenit, We haue thocht convenient to name and recommend oure weilbelouit clerk, B. C. to the Commendatary of the ſaid Abbay or Priorie of A. And ſen the poſſeſſoure of the ſame is to re-

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preſent the place of ane of the Eccleſiaſticall Eſtate in our Parliament, neidfull it is that he be ſufficientlie qualifeit; quhairfoir We require and pray zow immediatelie vpoun the recept heirof, to try and examinat his learning and habilitie, certefeing Ws of the ſame be zoure teſtimoniale, that thairvpoun We may prouide him of the ſaid abbay or priorie as efferis. Gevin vnder our ſignet and ſubſcriuit, &c.

The Teſtimoniale of the Ordinar returnit to the Kingis Maieſtie or his Regent.

To the richt excellent, &c. zour Maieſties humble oratours reuerence and ſubmiſſioun: Forſamekle as having tryit and examinat the qualificatioun of oure weilbelouit A. B. nominat and recommendit be zoure Majeſtie to the Commendatary of the abbay or priorie of A. we haue found him of ſufficient learning and habilitie, quhilk we declair and ſignifie to zoure Hienes be thir preſentis. Subſcriuit with oure handes and vnder oure . At, &c.

In cais the perſoun nominat be not found qualifijt.

Hes tryit and examinat, &c. and hes not found him qualifeit in haill or part of the qualiteis requirit; maiſt humblie thairfoir craving and requiring zoure Hienes, That, with all convenient expeditioun, ſum vther ſufficientlie qualifeit may be of new nominat and recommendit to the ſaid abbay or priorie.

The Gift and prouiſioun vpoun the Ordinaris certificat.

Oure Souerane Lord, with auiſe and conſent, &c. ordanis ane letter to be maid vnder the great ſeill in due forme, direct to the reuerend Father in God, A. Archebiſchop or Biſchop of B., makand mentioun, That the abbacy or priory of C. preſently vaikis be the naturall death of the laſt abbat, priour, or commendatar thairof, or be forfaltoure, tranſlatioun, dimiſſioun or depriuatioun, his Hienes hes nominat and recommendit his weilbelouit,

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D. E., to the Commendatary of the ſaid abbay or priorie of C., quha be his Ordinar is found of ſufficient learning and habilitie thairfore; and alſua hes gevin the confeſſioun of his fayth, his aith for acknawleging and recognoſcing his Hienes authoritie, and dew obedience of his Ordinar in accuſtumat forme: Thairfoir gevand, grantand and diſponand be the ſaid letter to the ſaid D. E. the ſaid abbacy or priory of C. with all dignitie, richtis, rentes, patrimonie, priuilegis and poſſeſſionis quhatſumeuir belanging thairto; and makand and conſtitutand him Commendater thairof during his lyftyme, to be brouked and joyſed be him als frelie as ony vther broukit and poſſeſſit the ſame in tyme bigane, but ony reuocatioun; requiring the ſaid reuerend Father to mak the ſaid D. E. now nominat and admittit Commendater of the ſaid abbay or priorie of C. haue inſtitutioun and poſſeſſioun of the ſame; and all and ſindre vther thingis to do concerning his paſtorall office in this part, with all diligence, fauour and effect; and that the ſaid letter be extendit in the beſt forme with all clauſes neidfull, with command in the ſamyn to the Lordes of Counſale and Seſſioun, to grant and gif letters for anſwering and obeying of the ſaid D. E. now Commendatar of the ſaid abbay or priory, of the rentes, fruitis, proffites, emolumentes and deweties thairof, during his lyftyme, and to nane vtheris. Subſcriuit, &c.

The forme of a letter direct to the Maiſter of the Grammer Scoile, in fauour of a Burſar Studeut in Grammer.

Truſty and weilbelouit, We greit zow weill: Forſamekle as the prebendarie or chapellanrie of A. liand in the diocy of B. now vaikis be the deceis of vmquhile C. D. laſt poſſeſſoure of the ſame, the zeirlie rent quhairof is thocht not to exceid the ſowme of xx merkes; and We willing to confer the ſamine to a Burſair in ſupport of his ſuſtentatioun at the ſcole, for the incres and furtherance of gude letters, be thir oure letters nominatis and preſentis oure louit, &c. requiring zow to try and examinat, gif he be paſt the aige of ſevin and be within the aige of xiiij zeiris, gif he be apt to ſtudy in Grammer, and will promeis to continew his ſtudy vnder zow and be ſubject to zoure diſcipline; as alſua inquire quhair the chapellanrie or prebendarie lyis, and quhat is the certane rent thairof, that, vpoun zoure report to be returnit to Ws within the ſpace of ane moneth efter the dait

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heirof, We may reſolue in the diſpoſitioun of the ſame prebendarie or chappellanry as efferis. Subſcriuit, &c.

The anſwer of the Maiſter of the Grammer Scole.

To the richt excellent, &c. ȝoure Hienes humble ſubiect, A. B. Maiſter of the Grammer Scole of C. humble reuerence and ſubmiſſioun: According to the command of ȝoure Maieſties letters, having taken triall I find D. E. nominat and recommendit be ȝoure Hienes to the prebendarie or chapellanrie of A., paſt the aige of ſevin, and within the aige of fourtene ȝeiris, apt and diſpoſit to ſtudy in Grammer, quhairin he hes promiſit to continue and be ſubiect to my diſcipline; having alſua inquirit I find that the ſaid prebendarie or chapellanrie lyis within the diocy of F. and extendis to of ȝeirlie rent. Subſcriuit with my hand and vnder, &c.

The gift and prouiſioun vpoun the certificat of the Maiſter of the Grammer Scole.

Our Souerane Lord, with aduice, &c. ordanis ane letter to be maid vnder the previe ſeill in dew forme, makand mentioun, That the prebendarie or chaipellanry of A., liand in the diocy of S., vacand be deceis of umquhile B. C., laſt poſſeſſoure thairof, his Maieſtie hes vnderſtand the ȝeirlie rent thairof not to exceid the ſowme of xx merkes money of this realme; and being certefeit, that his louit N. Q. is of convenient aige to entir in the ſtudy of Grammer, and is apt and diſpoſit thairfore, and promiſt to be ſubiect to diſcipline and continew thairin: Thairfore gevand, grantand, and diſponand be the ſaid letter to the ſaid N. Q., all and haill the ſaid prebendarie or chaipellanrie of A., with all fruitis, rentes, profittes, emolumentis and deweties belangand thairto, in ſupport of his ſuſtentatioun at the ſcole, during the ſpace of ſeven ȝeiris efter the dait heirof, with power to him be himſelf, his parentes and factouris in his name, to intromett and tak vp the fruitis, rentes, emolumentis, proffites and deweties of the ſaid prebendarie or chapellanrie during the ſaid ſpace, to the effect abone writtin, with all and ſindrie commoditeis, fredomes, &c., als frelie, &c. as ony vtheris had and broukit the ſame of befoir, but ony

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reuocation, &c.; and that the ſaid letter be extendit in the beſt forme with all clauſes neidfull, with command in the ſamine to the Lordes of Counſale and Seſſioun, to grant and gif letters in the foure formes, for anſuering and obeying of the ſaid N. Q. of the fruitis, rentes, proffites, emolumentis and deweties of the ſaid prebendarie or chapellanrie, during the ſpace abone ſpecefeit; commanding alſua the Maiſter of the Grammer Scole of M. to reſſaue the ſaid N. Q. vnder his cure and diſcipline, be the ſpace abone ſpecifeit; and at the end of the ſame, or in cais of his depriuatioun or not continewance in ſtudy, to certefie the ſame, that ane vther may be prouidit to the ſaid prebendarie or chapellanrie of new. Subſcriuit, &c.

For a Burſair in Art the like formes, changing the termes in the preſentatioun, the ſpace, and quantitie of rent.

Truſty and weilbelouit, &c. To the Principall and Maiſteris of the College of M. N.

For a Burſair ſtudent in Theologie the like formes, changing termes in the tyme, quantitie of rent, and vther wordes neidfull.

Nota. The Burſaires in Art, Theologie, the Lawes or Medicine, mon gif the confeſſioun of thair faith, and ane aith for acknawleging the Kingis authoritie.

The forme of the Ayth to be gevin be the perſoun prouidit to ony benefice with cure, the tyme of his admiſſioun be the Ordinar; as alſua be Burſaires in Art, Theologie, the Lawes or Medicine, the tyme of thair recept in the Vniuerſitie.

I, A. B. now nominat and admittit to the C. of D. vtterlie teſtefeis and declaires in my conſcience, That the richt excellent, richt heich and mich-

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tie Prince James the ſext, be the grace of God, King of Scottis, is the only lauchfull ſupreme Governour of this realme, als weill in thingis temporall as in conſervatioun and purgatioun of the religioun; and that na foreyne Prince, Prelat, State or Potentate hes or aucht to haue ony juriſdictioun, power, ſuperioritie, preheminance orauthorite Eccleſiaſticall and Spirituall within this realme: And thairfore I vtterlie renunce and forſaik all foreyne juriſdictiones, powers, ſuperioriteis and authoriteis, and promiſes that from this furth I ſhall and will beare faith and trew allegeance to his Hienes, his airis and lauchfull ſucceſſoures, and to my power ſall aſſiſt and defend all juriſdictionis, preuileges, preheminances and authoriteis grantit and belanging to his Hienes, his aires and lauchfull ſucceſſoures, or vnited and annext to his Royale croun; and farther I acknawlege and confeſſe to haue and hald the ſaid C. and poſſeſſionis of the ſame, vnder God, only of his Maieſtie and croun Royale of this realme; and for the ſaidis poſſeſſionis I do homage preſentlie vnto his Hienes in ȝoure preſence, and to his Maieſtie, his aires and lauchfull ſucceſſoures ſalbe faithfull and trew. Sa help me God.

Gif the benefice be at preſentatioun of a lawic patroun: At the geving of the ayth, the perſoun preſentit ſall ſay, I acknawlege and confes to haue and hald the ſaid C. and poſſeſſionis of the ſame, vnder God, be his Maieſtie, of E. F. lauchfull patroun of the ſame.

In benefices of cure, the perſonis admittit ſall promiſe obedience to the Ordinar; and in Scoles or Vniuerſiteis, to the Maiſter or Principall thairof.

Forſamekle as the heades and articles now talkit of, and put in ſic forme as is contenit in this buke, can not haue full effect and executioun as lawes; nor na lawic patronis vnwilling can be compellit thairby, quhill the ſame be allowit and enacted in Parliament: Neuirtheles it is thocht and ment by my Lord Regentis Grace, That in ſic thingis as he ſall happin to pas in the Kingis Maieſties name; and the Biſchoppes, Superintendentis, and Maiſteris of Colleges and Scoles, in thair admiſſioun; and the Lordes of Seſſioun, in granting of letters, ſall haue reſpect to the keping and obſervatioun of the order now condeſcendit vpoun, as gif it wer eſtableſhit be law; and that all lawic patronis be perſuadit to the obſervatioun of the ſame order, quhilk is ordanit to haue the ſtrenth of ane act of the Secrete Counſale: and that exact laboures ſalbe takin to gett this ordour allowit,

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confirmit and eſtableſhit as law be the Parliament; and for that effect that the formes of ſignatoures and letters be kepit vnalterit.

And a Regiſter to be kepit be the clerk of the Secrete Counſale, of all ſignatures, and vtheris grantis of ony Spirituall promotionis or maters concerning the ſame; and the ſeillis to anſuer na ſignatoure or letter vnregiſtrat and ſubſcriuit on the bak be the ſaid clerk: And in cais ony letter be paſt negligentlie the handes of the Regent different from thair formes, that the clerk ſtay the ſame vnregiſtrat, quhill the mater be oppynnyt to the Regent, and his mynd certanlie vnderſtand; and na letters to pas with blankes; and na double gift to be regiſtrat without the Regents mynd firſt knawin. Sic ſubſcribitur.

Quhilkis articles and formes abonewrittin being ſene and conſiderit be my Lord Regentis Grace, he, in oure Souerane Lordes name, allowis and approvis the ſame. At Leith, the firſt day of Februar, the zeir of God I^{m} v^{c} thre ſcoir ellevin zeris. Sic ſubſcribitur. JOHNNE REGENT.

. . . . . .

Apud Leyth xxiij Januarij, anno Domini I^{m} v^{c} lxxj.

The Commiſſionaris of the Kirk hes grantit and aſſignit, and be the tennour heirof grantis and aſſignis the ſowmes of money and victuallis vnderwrittin for the ſupport of the Kingis Maieſties eſtate and commoun effaris of the realme, of the crop and zeir of God I^{m} v^{c} thre ſcoir ellevin zeris inſtant and in tyme cuming, that is to ſay, to the ſupport of the Kingis Maieſteis houſe the ſowme of iij^{m} vj^{c} xxxj ℔ iij ß.

And for payment thairof.

The money of the thrid of the abbay of Kinlos, iij^{c} lxxxiiij ℔ iiij đ.

The money of the thrid of the Biſchoprick of Murray, v^{c} xlix ℔ xv ß ix đ.

The money of the thrid of the Biſchoprik of Aberdene, v^{c} lj ℔ v ß viij đ.

The money of the thrid of the Abbay of Abirbrothok, viij^{c} xxvij ℔ xv ß.

The money of the thrid of the Biſchoprik of Sanct Androis, viij^{c} iij ℔ xij ß iij đ.

The money of the thrid of the Biſchoprik of Dunkeld, v^{c} ℔.

Summa.

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And becaus Sir Patrik Leirmonth of Derſy, Knycht, Proueſt of Sanct Androis, hes obtenit ane decreit befoir the Lordis of Counſall and Seſſioun, twicheing his awin few males to be allowit to him in his bailliefe, quhairthrow ſa mekill will preſentlie inlaik of the thrid of the Biſchoprik of Sanct Androis: Thairfoir in place thairof for the preſent ȝeir and in tyme cuming quhill the ſaid decreit be reducit, the Commiſſionaris hes grantit and aſſignit the ſowme of xlvj ℔ xiij ß iiij đ to be payit be the Collectour preſent and to cum.

Item, To the ſupport of my Lord Regentis Grace hous, out of the handes of euery ane of the Collectouris vnder written, the ſowme of fyve hundrith and fifty merkis, with the thrid of the Proueſtrie of Methuen, makand out in the haill v^{c} merkis.

Item, To Maiſter James Haliburtoun, Proueſt of Dunde, his penſioun out of the thrid of Scone, extending in money to xlvj ℔ xviij ß.

Quheit out of Scone, v chalderis, ij bolls, ij pairt bolls.

Beir out of the ſame, xvj chalderis, x bolls.

Meill out of the ſame, vj chalderis.

Summa of victuale, xxviij chalderis, xij bolls, 2 pairt bolls, and of money xlvj ℔ xviij ß.

To the Maiſter of Requeiſtis out of the thrid of Balmerinoch ij^{c} ℔.

As to the Lard of Granges auld penſioun or tak out of Weſter Kingorne, Auchtertule and Fynmonth, extending to I^{c} lvij ℔ iij ß iiij đ money, iij chalderis x bolls beir, xiiij chalderis v bolls aittis, with the thrid of the lyme, and of the aſſignatioun maid to the Caſtell of Edinburgh of the ſiluer of the Abbay of Scone in money, iij^{c} xxxiiij ℔ ij ß 1 đ 3 pt. đ, and xlvj chalder victuale rynnand met, out of Scone, Dunfermling and Sanct Androis, quheit, beir and meill of the crop 1570; be agrement the ſame is ordanit to be equalie diuidit betuix the Miniſterie and to the Kingis vſe. And in reſpect of the aſſignatioun maid alreddy to the Miniſterie of the ſame of this inſtant ȝeir and crop, it can not convenientlie be ſparit; bot thaireftir for the tyme to cum, the Commiſſionaris hes thocht meit and aggreit, that it ſall returne to the vſe of the King for the ſupport of the ſaid Caſtell, howſone it cumis to his obedience, or vtheris the neidfull effaris of the State.

Item, To my Lord now Regent for ſupport of his expenſis attending

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vpoun the Kingis perſoun, the thrid of the ſiluer of Jedburgh with Reſtennot, iij^{c} xxxiij ℔ viij ß viij ₰; the commoun kirk of Welſtoun xl ℔; Vicarage thairof xv ℔; Vicarage of Falkirk xiij ℔ vj ß viij ₰; Vicarage of Kilmacolme xj ℔. Summa iij^{c} lxxxxiij ℔ iij ß iij ₰; togidder with the thrid of meill, quheit and beir of Jedburgh, and haill victuale of Dunblane, bayth extending to xli chalderis viij bolls iij fyrlots.

Item, For keping of the Caſtell of Dumbartane, out of the thrid of Paſlay, xx chalder victuale.

Item, In hors corne to my Lord Regent, fourty chalder aittis grantit and aſſignit to be payit in maner following, viz. out of Fyff of the preſent ȝeir 1571, and for the tyme to cum a ſpeciall aſſignatioun ſalbe maid befoir October nixt.

Item, It ſalbe lauchfull to the Kingis Maieſtie, with auiſe of my Lord Regent, to mak and conſtitute Collectouris and Chalmerlanis ane or ma for craving, collecting and inbringing of the money and victuallis abone writtin, aſſignit to the ſupport of the Kingis Maieſteis hous, and vtheris ſpeciall aſſignationis abone writtin, diſchargeing the Collectouris of the Kirk of all intromiſſioun with the ſame.

Item, Grantit and aſſignit to Agnes Scott during hir wedoheid, the ſowme of twa hundrith merkis of the thrid of the Abbay of Culros.

And this aſſignatioun to leſt and indure this preſent ȝeir and crop, and ȝeirlie in tyme cuming quhill farder ordour be tane.

The names of the Collectouris and thair boundis.

Patrik Danidſoun, Ros Herauld, collectour of Ros, Sutherland, Strathnaver and Caithnes.

Dauid Dunbar, collectour of Murray.

Johnne Calder of Aſlowne, collectour of Abirdene and Banff.

Williame Foulartoun, collectour of Mernis and Angus.

Dauid Murray, collectour of Perth. } Togidder.

Maiſter Robert Winrame, collectour of Fyff. }

Thomas Lindeſay, Snawdoun Herauld, collectour of Lowthiane and Mers.

William Ruthirfurd, collectour of Roxburgh, Selkirk and Peblis.

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James Boyd, collectour of Lanark, Renfrew, Striueling, Dunbartane, Kyle, Carrik and Cunynghame.
Hary Smyth, collectour of Niddiſdaill and Galloway.

R. Dunfermling.
Hew Wallace of Caruell.
Mr Andro Hay.
Johnne Erſkin.
Maiſter Johnne Winrame.
Bellenden.
Maiſter Williame Lundy.
Robert Pont.
Dauid Lindeſay.

The Commiſſionaris of the Kirk for diuers gude conſiderationis moving thame, hes grantit and diſponit to Alexander, Commendatare of Culros, ane of the Senatouris of the College of Juſtice, the thrid of his benefice of the Abbay of Culros, and makis and conſtitutis him ſelf collectour and intromettour thairwith of this preſent crop and zeir of God Iᵐ Vᶜ lxxj zeris, and in tyme cuming, quhill farder ordour be tane; he payand zeirlie thairfoir the ſowme of fyve hundrith merkis, that is to ſay, the ſowme of twa hundrith merkis to Agnes Scott, and the reſt to the Collectour of the thrid in theis partis; and ordanis the ſaid Commendatare to find ſufficient cautioun to the Collectour for the ſame.

. . . . . .

Anent the ſupplicatioun preſentit to the Commiſſionaris appointit be the Kingis Maieſtie and the Aſſemblie of the Kirk be Maiſter David Wemys, Miniſter at Glaſgow, makand mentioun, That quhair he hes ſeruit in the office of Miniſterie at the ſaid Citie be the ſpace of ten zeris bipaſt, in ſum troubill and without certantie of his ſtipend; requirand that he may vnderſtand at quhais handis he ſall crave the ſame in tyme cuming, Quhidder of the perſonage of Glaſgow quhairof the frutes ar now intromettit with be Maiſter Archibald Douglas, or otherwayis. The Commiſſionaris having conſideratioun of the raritie of qualifiit perſonis Senatouris in the College of Juſtice of the Spirituall Eſtate, and willing to remove all occaſioun of contentioun, hes concludit, and be this preſent act decernis and declaris be conſent of the ſaidis Maiſter Archibald and Dauid, That the ſaid Maiſter Archibald ſalbe owerſene to brouke the perſonage of Glaſgow be ſic rycht and poſſeſſioun as he hes alreddy thairof during his lyff;

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and the ſaid Maiſter Archibald ſall content and pay to the ſaid Mr Dauid ſa lang as he ſall continew Miniſter of Glaſgow, or to the vtheris that ſall ſucceid to him in that charge, thair ȝeirlie ſtipend extending to the ſowme of twa hundrith pundis, at twa termis in the ȝeir, Witſonday and Martimes in Wintir, be equall portionis; begynnand the firſt termis payment at the Feiſt of Witſonday nixtocum in the ȝeir of God Iᵐ Vᶜ thre ſcoir twelf ȝeris; and that in payment and ſatiſfactioun of the thrid of the ſaid perſonage, and to the effect the ſaid thrid may be recoverit agane according to the full rentall that the ſamyn extendit vnto the ȝeir of God Iᵐ vᶜ lxj ȝeris, commandis the Procuratouris of the Kirk to perſew at thair inſtance for reductioun of quhatſumeuir giftis and diſpoſitionis maid of the ſame thrid, in preiudice and diminutioun of the firſt rentall, quhairthrow the ſaid Maiſter Archibald may brouke the ſaid haill thrid, and may be abill thairby to pay the ſowme of twa hundrith pundis to the Miniſter foirſaid: Prouiding that this ſalbe na preparatiue to vther the lyke thingis heireftir; and that the ſaid Maiſter Dauid be payit of his ſtipend as he hes bene heirtofoir quhill the ſaid Feiſt of Witſonday nixtocum: And als, with auiſe and conſent of the ſaidis Maiſter Archibald and Dauid, ordanis thir preſentis to be actit and regiſtrat in the bukis of Counſall, to haue the ſtrenth of ane act and decreit of the Lordis thairof, and letters and executoriallis of horning or pounding to pas thairvpoun in forme as efferis. In witnes heirof the Commiſſionaris of the Counſall and Kirk, hes commandit thir preſentis to be ſubſcriuit be the ſcrybe of the Prevy Counſall in thair names. And the ſaidis Maiſter Archibald and Dauid, in takin of thair conſentis and for thair intereſs, hes ſubſcriuit thir preſentis with thair handis, day, ȝeir and place foirſaid, befoir thir witneſſes, Robert, Commendatare of Dunfermling, Maiſter James Makgill of Rankelour-nethir, Clerk of Regiſtare, Johnne Bellenden of Auchnowle, Juſtice Clerk, and Alexander Hay, Scrybe to the Prevy Counſall. Sic ſubſcribitur Mr Archibald Dowglas, Maiſter Dauid Wemys, Miniſter at Glaſgow, Alexander Hay. C. & Reg. Sec. Conc.]

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A. D. M.D.LXXI.

THE Generall Aſſemblie haldin and begun in St Androes [in Sanct Leonards ſchool] the ſaxt day of Marche 1571: In the quhilk were preſent the Superintendents, Barrons, Commiſſioners to plant Kirks, Commiſſioners of Provinces, Townes, Kirks, Univerſities, Miniſters, and Mr Johne Dowglas, Archbiſchop of St Androes. Mr Robert Hamiltoun, Miniſter in St Androes, Moderatour for this preſent Aſſemblie.

Seſſio 1ª

[At the triall of the Superintendents, Mr John Winram, Superintendent of Fife, was complained upon be Mr Thomas Kinneir, Miniſter at Carraill, That his kirk had not been viſited thir three years bygone, and that at this laſt viſitation there he uſed not due order, in ſo far as he conſulted not with the Miniſters and Elders touching things to be reformed, &c.: Nixt accuſed, that he had not viſited Stratherne, Menteith, Braidalbane the year bygone: Thirdly, that he had given the vicarage of Kilmanie to one that is no Miniſter, nor hath any function within the Kirk, wherethrough the Miniſter of the ſaid kirk planted by himſelf is fruſtrate thereof. Reentering he anſwered to the firſt, That he referred to the book of viſitation. The Aſſembly exhorted him to be more diligent in viſitation as he might conveniently; which he promiſed to doe.

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Mr David Lindſay, Commiſſioner of Kyle, Carict and Cunninghame, was accuſed for not putting order to certain enormities done to the kirk of Uchiltrie, and committed to him be the Aſſembly holden at Leith. He alledged for excuſe the ſhortneſs of time, and greatneſs of the ſtream. The Aſſembly required him to take order in the premiſſes how ſoon he might conveniently; which he promiſed.

The Aſſembly appointeth Mr William Gardin, William Clark, James Carmichaell, John Inglis and George Scot, to conveen the morne at ſeven hours, to viſite the books of Superintendents and Commiſſioners appointed to plant kirks, and to report again to the Aſſembly what diligence they find.

Seſſio 2a.

The brethren conveened, remembring on the commiſſion given to certain brethren in the Aſſembly, paſt before, to conveen with the Regents Grace and Secret Counſell, to treat upon the heads which were to be proponed be his Grace and Counſell; as alſo ſuch heads and articles as they had to propone in name of the Aſſembly: In reſpect whereof, underſtanding that the ſaids brethren Commiſſioners had already concluded upon ſome heads with my Lord Regents Grace and Counſell foreſaid, and had reported the ſame to this Aſſembly, appointed the Archbiſhop of Sanct Andrews, Mrs John Knox, John Craig, John Row, Alexander Arbuthnet, James Wilkie, Patrick Adamſon, Gilbert Gairdin, William Clerk, Robert Montgomerie, William Chriſteſone, David Ferguſone, William Spence, George Leſlie, George Scot, Mr John Rutherford, Patrick Kinninmouth, with the Superintendents of Fife, Mrs David Lindſay and Andrew Hay, Commiſſioners before appointed, That they or eight of them conveen in Mr Knox houſe this day at two afternoon, and there conſider and ſight the ſaid articles and concluſions; and what therein they find agreeable to Gods word, and to the utility of the Kirk, to report the ſame to the Aſſembly this night or the morne, that the ſaids concluſions may be inſert in the Regiſter.

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Seſſio 3ª

In conſideration that the countrey of Murrey is preſently deſtitute of a Commiſſioner to viſite the Miniſters and plant kirks, all in one voice gave commiſſion to Mr John Keith, Perſoun of Duffus, to viſite Miniſters, plant kirks where none are, ſuſpend and depoſe as occaſion ſhall ſerve, conferr benefices to qualified perſons, at the preſentations of the juſt patrons, viſite colledges and ſchools, &c.; and what he doeth in the premiſſes to report to the nixt Aſſembly.

Touching queſtions and complaints given or to be given in: The Aſſembly appointed Mr Andrew Hay, Commiſſioner of the West, John Rutherford, John Craig, Alexander Arbuthnet, Robert Montgomerie, John Ure, William Clerk, to conveen at two hours afternoon, read, conſider and give anſwers to the ſaids complaints and queſtions; and what they ſhall happen to find worthy to be regiſtered, to report the ſame for that effect.

Mrs Andrew Hay, John Row and Mr David Lindſay were continued Commiſſioners of Cliddifdaill, Galloway and Kyle till the nixt Aſſembly.

The ſame day Mr John Winrame Superintendent of Fife, of his own free will and for certain cauſes moving him, purlie and ſimpliciter dimitted the office of Superintendentrie which he had within the Dioceſe of Sanct Andrews in the Aſſemblies hands, requeſting them moſt earneſtly to provide for another in his room, for the comfort of the Kirk, and viſiting the Miniſters within the foreſaids bounds. C.]

Anent the complaint givin in be Mr Johne Rutherſuird, Proveſt of St Salvators Colledge, againſt Mr John Wynrhame, Superintendent of Fyfe, for the wrangous diſponing of the Vicarage of the commoun kirk of Kilmanie pertaining to the ſaid Proveſt and his Collegues brether of the ſaid Colledge; as alſo for obtaining of the gift and giving of ane altarage in the ſame Colledge ſituat at St Johns altar, the gift quhairof the ſaid Mr Johne as Proveſt alledgit to have pertainit to him be vertue of foundation of the ſame, &c. as at lenth in the ſaid complaint was conteinit, Requeiſtand the Kirk preſentlie conveinit to take ſick ordour in the premiſſes as godlineſs and equitie requireth, in ſick ſort that the Colledge and brethren forſaids be not put to ſurfett and expenſſes in ſeiking remedy befor vther Judges. The Kirk having conſideratioun of thair complaint, thought meitt

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to have inſpecture of the foundatioun of the Colledge, and quhat the ſame conteinit anent the preſentatioun and collatioun of the ſaid Viccarage of Kilmanie; and, for that purpoſe, gave commiſſioun to thair brethren, Mrs Johne Row, Gilbert Gardein, William Chriſteſone, Andro Hay and David Lindeſay, to paſs to St Salvators Colledge, confidder and ſie the foundatioun thairof, and quhat they find concerning the ſaid Viccarage of Kilmanie, and to quhom the preſentatioun and collatioun thairof pertaineth; and quhat they happin to find, to report the ſame againe to the nixt Aſſemblie.

The ſaids brethren returneand reported quhat they had found in the ſaid foundation; the tenour quherof followes in thir wordes.

Vicarie de Kilmanie electio et preſentatio ordinaria facienda ad Dominum Prepoſitum, et ceteros de dicto Collegio graduatos debent pertinere. Qui quidem Vicarius omnia onera ordinaria ſubire tenetur. In fundatione Collegii Sancti Salvatoris, ita invenimus ad verba ſcriptum. Teſtantibus noſtris chirographis ſubſcriptis, et ex commiſſione eccleſie ad id muneris deſtinatis, 7 menſis Martii 1571. Gulielmus Chriſteſone, Andreas Hay, David Lindeſay, Joanes Row, Gilbertus Gardein.

In reſpect of the premiſſes, the Kirk ordainit to wryte ane letter to the [Lords Senators of the] Colledge of Juſtice, teſtifieing quhat they had found in the ſaid foundatioun, anent the preſentatioun and collatioun of the forſaid Viccarage of Kilmanie.

Seſſio 4ª

[Anent the ſupplication preſented to the Generall Aſſembly be Mr Patrick Adamſon, bearing in effect, That where my Lord Regents Grace of good memory had granted him a penſion of five hundreth merks yearly, to be lifted up of the perſonage of Glaſgow at two terms in the year, Martimeſs and Whitſunday, requeſted the Aſſembly to ratify, confirm and approve the ſaid penſion, and to deſire the Procurators of the Kirk to aſſiſt him in this his cauſe, becauſe, for his own part, he was willing to endeavour himſelf to the uttermoſt of his power to the ſervice of the Miniſtry, according as it ſhould pleaſe the Kirk to call him; and nixt, if it ſhould happen him to obtain the ſaid penſion in the ſaid Perſonage, he would not only be at the Kirks command to employ his labours, but alſo

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would be content the ſaid penſion be at their pleaſure, as any thing pertaining to the Kirk. The Aſſembly, in reſpect of the ſaid Mr Patrick his reaſonable ſute and offer, moſt humbly requeſted my Lords Senators of the Colledge of Juſtice to miniſter juſtice in the ſaid action of penſion as their Lordſhips may Godly, that the ſaid Mr Patrick may the more heaſtily enter in the function of the Miniſtry: And, in like manner, earneſtly deſireth the Advocats for the Kirk actions to aſſiſt the ſaid Mr Patrick in the ſaid action, and to doe their diligence for obtaining the end thereof, as if the ſamen pertained to the generall Kirk; and when the ſaid penſion ſhall be obtained with the execution thereof, the Aſſembly promiſed to ratify the ſame; alwiſe providing the ſaid Mr Patrick travell in the Miniſtry as he ſhall be appointed in the Kirk; whereunto the ſaid Mr Patrick agreed, and in ſign thereof ſubſcribed the ſaid ſupplication.

Anent the queſtion, Whither if Superintendents and Commiſſioners to plant kirks where benefices vaike within their Juriſdiction, which is at the Kirks gift, pleno jure, ſhall give the ſamine to any other then to ſuch as ſerve for the time in the Miniſtry where they vaike, and that be advice of a certain number of Miniſters nixt adjacent, to the effect that others get not the ſame. Anſwer. Referrs this to the diſcretion of Superintendents and Commiſſioners of Countries where the benefice lyeth, Requeſting them to have conſideration of theſe that travell in the kirks, and that they be preferred to others, cæteris paribus.

Anent the queſtion, Whither the Perſon or Vicar ought and ſhould furniſh bread and wine to the Communion: After long reaſoning, C.] It is concludit, that the Perſon ſould furniſch bread and wine to the Communioun, unleſſe the Vicarage exceid the ſowme of xl lb.; and in that cace the Vicar to furniſch the ſame in tyme comeing.

[Anent the letter preſented be ſome brethren to the Univerſity of Sanct Andrews, putting in remembrance how Mr John Douglas, Rector of the Univerſity, Proveſt of the new Colledge, when he was erected Biſhop, promiſed to dimitt all the offices which might impede him to execute the office of a Biſhop, and in ſpeciall the ſaid Rectorie and Proveſtrie, the Aſſembly was required to take order herein, that a Rector and Proveſt might be provided, &c. The Aſſembly for certain cauſes moving them continued the ſaid Biſhop in his office till the nixt Aſſembly; providing alwiſe he be diligent in viſitation of his Kirk; and in the mean time a qualified man be

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provided for the ſaid Proveſtrie according to the foundation of the ſaid Colledge. C.]

The Kirk ordaines the Superintendent of Fyfe to vſe his awin Juriſdictioun as of befoir in the provinces not ȝet ſubiect to the Archbiſchoprick of Sanct Androes; and als requeiſts him to concurre with the ſaid Archbiſchop, quhen he requyres him in his viſitatioun, or vtherwayes within his bounds, quhill the nixt Generall Aſſemblie; and the Superintendent to have the ſtipend as of befoir: and in lyke manner the Superintendents of Angus and Lowthiane [to continue in their Juriſdiction in manner foreſaid] without prejudice of the ſaid Archbiſchop, except be vertue of his commiſſioun.

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A. D. M.D.LXXII.

THE Generall Aſſemblie begun and haldin in the Tolbuith of Perth, the ſaxt day of Auguſt 1572: In the quhilk were preſent the Erles, Lords, Barronis, Superintendents, Commiſſioners to plant Kirks, Commiſſioners of Provinces, Univerſities, and Miniſters. Johne Erſkine of Dunne, Knyght, Superintendent of Angus and Mernes, was choſen Moderatour be the haill voyce of the Aſſemblie.

Seſſio 1a.

To the effect that obedience be given to the Moderator preſentlie and in all tymes heirafter, the haill brethren aſſemblit in ane voyce ſtatutes and ordaines, That na perſon, of quhat eſtate that ever he be, take in hand to ſpeake without licence aſkit and given be the Moderatour, and after licence obtainit, that the perſon ſpeake and keip moderatioun in reaſoning and anſuering, and els keip ſilence quhen he ſall be commandit be the Moderatour, under the paine of removeing out of the Aſſemblie, and not to reenter therin dureing that conveining: and this to be a perpetuall act for all Aſſemblies heirafter.

[The Aſſembly findeth and declareth the Diocie of Sanct Andrews, whereſoever it lyeth, to pertain to the Biſhop of Sanct Andrews, and to no other Superintendent to viſite and plant kirks: Therefore the ſaid Biſhop anſwered, Becauſe the bounds are great, and he not able to doe his office in his own perſon, deſired ſome of the Godlieſt and beſt learned to concurr

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with him in taking order, how the whole Diocie may be ſerved: And, for that purpoſe, he deſired to have the counſell of the brethren underwritten, to wit, John Areſkine of Dun, Knight, Superintendent of Angus and Merns, Mr John Spotſwood, Superintendent of Lothian, Mr Robert Pont, Mr Andrew Hay, Commiſſioner of Cliddiſdaill, Mr John Craig, Miniſter; whereunto the whole Aſſembly agreed.

Mrs John Craig, William Chriſteſon, Andrew Simpſon, Robert Hammilton, John Duncanſon and James Dalrympell were appointed to viſite the books of the Biſhop of Sanct Andrews, the Superintendents and Commiſſioners viſitation.

Touching the reviſing of the heads and articles concluded at Leith in the moneth of January laſt, betwixt my Lord Regents Grace, Secret Counſell and Commiſſioners of the Kirk, the whole Aſſembly appointed the Superintendents of Angus and Fyfe, Mrs John Craig, John Row, William Chriſteſon, David Ferguſon, David Spence, John Rutherford, Patrick Kinninmouth, together with Mr Robert Pont, David Lindſay, Andrew Hay, and Mr William Lundie of that ilk, that they conveen upon Friday nixt to come at ſix hours in the morning in the Counſell houſe, and overſee and conſider the ſaids concluſions, and what they find therein, either to be retained or altered, to report the ſamine again to the Aſſembly; ordaining all and ſundry brethren that have any reaſon to alledge againſt the ſaid concluſions, that they conveen with the foreſaids brethren the ſaid day or before, and ſhew their opinion; with certification, that thereafter they ſhall not be heard thereanent.

Seſſio 2a.

Anent my Lord Regents Graces ſupplication for placing of Mr Robert Montgomerie in the town of Stirling, the Aſſembly willing to ſatiſfy my Lord Regents Grace and town of Stirling in that behalf, conſented that Mr Robert be placed there; alwiſe providing the act anent the removing of Miniſters made the penult of July 1569, be obſerved. Alwiſe becauſe it is ſupponed that the congregation of Dumblane hath no knowledge of the tranſporting of their Miniſter, The Aſſembly ordaineth the Superintendent of Stratherne to warn the ſaid congregation before him, betwixt and the laſt day of this inſtant, and hear their alledgance, wherefore the

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ſaid Mr Robert ſhould not be removed from them and placed in the ſaid town of Stirling. Moreover, the Aſſembly ordaineth, that if the ſaid Mr Robert be placed in Stirling, that the Collector of the Weſt pay to him two hundreth merks, and the Collector of Stratherne ane hundreth merks for a year, till farder order be taken.

Anent the ſupplication of the town of Edinburgh touching the ſupport of Miniſters for their congregation preſently deſtitute of preaching: The Aſſembly gave commiſſion to the Superintendent of Lothian with ſo many Miniſters of the province as he ſhould chooſe, with advice alſo of Mr Knox and the Seſſion of the Kirk of Edinburgh, to nominat and chooſe any qualified Miniſter, as they ſhall think expedient to be joined with Mr Knox, Miniſter of the ſaid town; and whomſoever they ſhall happen to chooſe, that the ſaid Superintendent charge him to enter in the Miniſtry of the ſaid town with all diligence, under the pain of diſobedience to the Aſſembly.

The Aſſembly ordained Mr Patrick Adamſon to enter in the Miniſtry at Paſley at what time the Commiſſioner of Cliddiſdaill ſhall charge him thereto; which the Aſſembly deſireth to be done with all diligence, according to the ſaid Mr Patricks own promiſe.

The Aſſembly, for certain cauſes, continueth all Commiſſioners already appointed ſtill in their offices while the nixt Aſſembly, at the which ordaineth them to be preſent, and bring with them their diligence in execution of their Commiſſion.

Seſſio 3ª.

Anent anſwering and concluding upon queſtions and complaints: The Aſſembly appointed the brethren under written, to wit, Mrs Alexander Arbuthnet, James Melvill, James Carmichaell, George Scot, Alexander Jerdan, Andrew Simpſon, to meet at three hours after noon and give their anſwers, and report the ſamine to the Aſſembly.

The brethren appointed for reviſing the heads and articles concluded in Leith, in January laſt, with the Regents Grace and Secret Counſell, preſented to the Aſſembly a proteſtation with their opinion, anent ſome of the heads and concluſions, requiring the whole Aſſembly to adhere to the ſame: The tenor whereof followeth. C.]

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For ſameikle as in the Aſſemblie of the Kirk haldin in Leith in January laſt, ther was certaine Commiſſioners appointed to travell with the Nobilitie and their Commiſſioners, to reaſon and conclude upon diverſe articles then thoght good to be conferritt upon: According to the quhilk commiſſion they have proceidit to divers dyatts and conventions, and finallie concludit for that tyme upon the ſaids heids and articles, as the ſame produceit in this Aſſembly proportis. In the quhilks beand conſidderit and red are found certaine names, ſick as Archbiſchop, Deane, Archdeane, Chancellour, Chapter, quhilks names were found ſlanderous and offenſive to the ears of many of the brethren, appeirand to ſound to papiſtrie: Therfor the haill Aſſemblie in ane voyce, aſweill they that were in Commiſſion at Leith as uthers, ſolemlie proteſts, that they intend not be uſeing ſick names to ratifie, conſent and aggrie to any kynd of Papiſtrie or ſuperſtition, and wiſhes rather the ſaids names to be changeit into uthers that are not ſlanderous or offenſive. And in lyke manner proteſts, that the ſaids heids and articles aggriet upon be only receivit as ane interim, untill farder and more perfyte ordour be obtainit at the hands of the Kings Majeſties Regent and Nobilitie; for the quhilk they will preaſe as occaſion ſall ſerve: Unto the quhilk proteſtation the haill Aſſemblie preſently conveened in ane voyce adheres.

[Anent the names and titles of Archbiſhops, we think good that they that had the names of Archbiſhops heretofore, That hereafter in theſe things concerning the function of the Kirk, they ſhall uſe the name of Biſhop and not Archbiſhop. Toward the names of Chapter, Dean and Archdean and Chancellarie, we think it good, that becauſe thir names ſound to bring in ſuperſtition with them, and ſo offenſive to the ears of a great number of the Kirk; therefore deſire they may be changed in other names tending to the ſame purpoſe; ſuch as the Chapter be called the Biſhops aſſembly; the Dean, Moderator of the ſaid Aſſembly. As to the function of the Deans, Archdeacons and Chancellers, we think good, that ſome be appointed be this preſent Aſſembly, to try and give in their Judgment concerning the ſaid functions, how far they ſhall extend in particular; and alſo toward the function of the Abbots and Priors, and toward the interchanging of all their names in other names more agreeable to Gods word, and the policies of the beſt reformed Kirks; and they to report the ſame to the nixt Aſſembly, or elſe to the next Parliament, if any happen to be betwixt this and the nixt Aſſembly. And we think good,

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that Commiſſioners be appointed be this preſent Aſſembly to await upon the Parliament, if it ſhall happen to be, or otherwiſe paſs to the Regents Grace and Secret Counſell for ſuch things as ſhall be given to thoſe in commiſſion: farther viſeing of the ſaids concluſions the ſaid brethren continued till farther opportunity, alwiſe adhering to the former proteſtation.

Mr Knox ſent the letter following to the Aſſembly.

Fight and faint not, for the battle is ſhort, and the victory with Jeſus Chriſt is rich and without end.

Albeit I have tain my leave not only of you, dear brethren, but alſo of the whole world and all worldly affairs; yet remaining in the fleſh I could not nor cannot ceaſe to admoniſh you of things, which I know to be moſt prejudiciall to the Kirk of Chriſt Jeſus within this realme. Above all things preſerve the Kirk from the bondage of the Univerſities. Perſuade them to rule themſelves peaceably, and order the ſchools in Chriſt; but ſubject never the pulpit to their Judgment, neither yet exempt them from your Juriſdiction. Take heed that nothing proceed, under your name, be particular factions. Farther I have communicated my mind with thir two dear brethren. Hear them, and doe as ye will anſwer before God, who preſently worketh potently, how blind that ever the world remaineth. Fight ye in the truth and for the liberty of the ſame, and be aſſured to triumph with Jeſus Chriſt: To whoſe mighty protection I unfainedly commit you. Off Sanct Andrews, the 5 day of Auguſt, 1572.

With this letter, which was ſent be Mr John Winram, Superintendent of Fife, and Mr Robert Pont, were ſent thir articles following.

1. Firſt, Deſiring a new act to be made, ratifying all things concerning the King and his obedience that were enacted of before, without any change; and that the miniſters who have contraveened the former acts, be corrected as accordeth.

2. That ſute be made to the Regents Grace and Nobility maintaining the Kings cauſe, That whatſoever proceedeth in this treaty of peace, they be mindfull the Kirk be not prejudged thereby in any ſort; and they ſpecially of the miniſtry, that have been robbed of their poſſeſſions within the

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Kirk during the time of the troubles, or otherwiſe dung and injured, may be reſtored.

3. To ſute at the Regent, That no gift of any Biſhoprick or other benefice be given to any perſon contrar to the tenor of the Acts made in the time of the firſt Regent of good memory; and they that are given contrar the ſaid Acts, or to any unqualified perſon, may be revocked and declared null be ane Act of Secret Counſell; and that all Biſhopricks vacand may be preſented, and qualified perſons nominat thereunto, within a year after the vaiking thereof, according to the order taken in Leith be the Commiſſioners of the Nobility and of the Kirk in the moneth of January laſt; and, in ſpeciall, to complean upon the giving of the Biſhoprick of Roſſe to Lord Methven.

4. That no penſions of benefices great or ſmall be given be ſimple donation of my Lord Regent, without conſent of the poſſeſſor of the ſaid benefices having title thereto, and the admiſſion of the Superintendent or Commiſſioner of the province where this benefice lyeth, or of the Biſhops lawfully elected according to the ſaid order taken at Leith; and deſire ane act of Counſell to be made thereupon unto the nixt Parliament, wherein the ſame be ſpecially inacted, with inhibition to the Lords of Seſſion to give any letters or decreets upon ſuch ſimple gifts of benefices or penſions, not being given in manner above rehearſed; and that the Kirk preſently aſſembled declare all ſuch gifts null, ſo far as lyeth in their power.

5. That the firſt form of preſentation to benefices, which were in the firſt and ſecond Regents time, be not changed as now it is commonly; but that this clauſe be contained in the preſentations, That if the perſons preſented make not reſidence, or be ſlanderous, or found unworthy either in life or doctrine be the Judgment of the Kirk, (to the which alwiſe he ſhall be ſubject,) or meet to be tranſported to another room at the ſight of the Kirk, that the ſaid preſentation and all that ſhall fall thereupon, ſhall be null and of no force nor effect; and this to have place alſo in the nomination of the Biſhops.

6. That ane Act be made in this Aſſembly, That all things done in prejudice of the Kirks aſſumptions of the Thrids, either be Papiſts or others, in giving of fewes, liferents or tacks, or any otherwiſe diſponing the ſaid aſſumed Thrids, be declared null, with a ſolemn proteſtation, The whole Kirk diſaſſenteth thereto.

7. That ane Act be made, decerning and ordaining all Biſhops admitted

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be the order of the Kirk now received, to give account of their whole rents and intromiſſion therewith once in the year, as the Kirk ſhall appoint for ſuch cauſes as the Kirk may eaſily conſider the ſame to be moſt expedient and neceſſar.

8. Anent the Juriſdiction of the Kirk, That the ſame be determined in this Aſſembly, becauſe this article hath been long poſtponed.

9. To make ſute to the Regent and Counſell for remedy againſt Meſſengers and excommunicate perſons.

10. Laſt, That order be taken anent the procurers of the Kirk, who procure againſt Miniſters and Miniſtry, and for ſifting of Juſtice of the Kirks actions in the ſeſſion.

Thir queſtions were alſo preſented at this Aſſembly.

If a Biſhop, being elected to a great Diocie, may be admitted beſide that to the office of Rectory of ane Univerſity or Proveſt of a Colledge, or any other like charge, or to bruike any inferior benefice.

If controverſy riſe upon Doctrine, before whom ſhall it be treated, where the Biſhops are placed according to the order of the Kirk: Whether ſhall the Superintendents Juriſdiction expire or not.

If any Abbot may ſett his whole Abbacie in prejudice of his ſucceſſors and of the Miniſtry, for the half of the thing it payed before, or otherwiſe far within the availl.

Thir articles were read in the Aſſembly with the former letter. The Aſſembly wrote again ane anſwer to Mr Knox thus.

We have received your writting, (dear brother in the Lord Jeſus,) together with certain articles and queſtions, the which we have read and diligently conſidered, and find the ſame both reaſonable and Godly; and therefore we have taine like order as we could for the furtherance thereof, as thir our brethren bearers of this preſent will declare unto you, beſeeking you to comfort yourſelf in the mercies of God through Jeſus Chriſt. We think it not meet to trouble you preſently with long letter, ſeing our minds are all bent (as we believe) to ſett fordward the ſelf ſame cauſe, which our God hath putt into our hands, to the advancement of his glory

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and comfort of his Kirk through Jeſus Chriſt; to whoſe protection we committ you. Of Perth the 10 of Auguſt 1572.

Your brethren and fellow members in Jeſus Chriſt,

Mr John Winrame.
David Lindsay.
Robert Pont.
John Row.
Bishop of Cathnes.
John Areskine.
John Spotswood. C.]

[Apud Edinburgh tertio die menſis Octobris, anno Domini Iᵐ vᶜ lxxij.

Forſamekle as be ſupplicatioun it is humblie menit and exponit to my Lord Regentis Grace and Lordis of the Kingis Maieſties Privie Counſall, be the Baronnis, Gentilmen and vtheris profeſſouris of Chriſtis Evangell, preſentlie convenit in Edinburgh, That in reſpect of the grit murtheris, and mair then beiſtlie crewelteis, vſit and put in executioun in diuerſe partis of Europe agains the trew Chriſtianis within the ſame, proceidit no doubt out of that vnhappy, deviliſhe and terrible Counſall of Trent, and intendit not only to be execute in foreyn cuntreis quhair ayther thair power or treſſoun may avale, but alſua intendit to be proſequute and followit furth with the like or gretar creweltie (gif it war poſſible) aganis the trew Chriſtianis heir in this realme of Scotland, and ower all quhair ellis quhair ever Chriſtis Evangell is ſincerlie profeſſit, maiſt humblie requyring the apparent danger to be foirſene and providit for, willinglie offering thame ſelffis and all that thay haif to the furtherance of the ſame; quhairthrow the wickit interpryſes and diuiſes of the malicious and bludy papiſtis

and childrene of this warld (quhilkis in thair kynde ar mair buſy and ſubtill nor the childrene of God) may with Godis help be preventit and reſiſtit: My Lord Regentis Grace and Lordis foirſaidis, conſidering the equitie and neceſſitie of the ſaid ſupplicatioun, ordanis letters to be direct, chargeing all and ſindrie oure Souerane Lordis ſubiectis, profeſſouris of Chriſtis Evangell, of all the reformit kirkis within this realme, be oppin proclamatioun at the mercat croces of the heid burrowis of the ſame, in the paroche kirkis and vtheris places neidfull, That thay, and every particular kirk be thame ſelff, ſend and direct thair Commiſſioneris ſufficientlie authorizit ane or ma, according to the qualitie and quantitie of the perſonis and rowme, to the Burgh of Edinburgh, or quhair my Lord Regentis Grace ſalbe for the tyme, the twentie day of October inſtant, to conſult, aduiſe and deliberat vpoun ſic materis and overtures as may be proponit to my Lord Regentis Grace, and oure Souerane Lordis Privie Counſall foirſaid, tending to the preventing, reſiſting and mutuall defence of the profeſſouris of Chriſtis Evangell within this realme, fra the furious rage and lawlis creweltie of the bludy and treſſonable papiſtis, executouris of the decreis of the ſaid devilliſhe and terrible Counſall of Trent; and in ſic thingis further as may advance Godis glorie and trew religioun foirſaid, as everie reformit kirk will thairby declair thair erniſt and chriſtiane affectioun to the ſame, in ſa preſent perrell and commoun danger: grantand alſua full libertie, licence, protectioun and aſſurance to all Commiſſioneris of kirkis, quhair evir thay dwell in ony partis of this realme, howſoeuir, in tyme bygane, thay haue bene inobedient to his Hienes authoritie, That thay may ſaulflie and frelie hant and reſort and cum to the day and place appointit, and thair remane during the tyme of the Conventioun to be kepit for this purpoſe; quhair alſua thay ſalbe admittit to haue frie ſpeche and vote, and to returne at thair pleſoure to thair dwelling places, without ſtop, trouble, arreiſt, ſearche or impediment to be maid to thame in bodyis or gudis, for the ſpace of fyvetene dayis eftir the ſaid twentie day of October, including alſua the tyme of thair travell preceding the ſaid twentie day: Certifeing all ſic as ſall require particular licences and aſſurances for this effect, that, vpoun thair deſyre, the ſame ſalbe grantit to thame; commanding all our Souerane Lordis officiaris, liegis and ſubdittis, That nane of thame tak vpoun hand to violat this preſent licence, protectioun and aſſurance, under all hieſt pane, charge and offence, that thay and euery ane of thame may commit and inrin aganis his Maieſtie in that part. Reg. Sec. Conc.]

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[The Heads and Articles which are to be proponed in the name of the Miniſters, Barons, and Commiſſioners of Kirks, to the Regents Grace, Nobility and Counſell.

The Aſſemblie of the Kirk convenit at Edinburgh, the 20 of October 1572, according to the Proclamatioun, Firſt, hes thocht expedient in ſa far as this preſent Conventioun is inſtitute to provyd remeid aganis the treſſonable crweltie of the papiſtis, and to reſiſt the ſamyne, to mitigat the wrath and indignatioun of God, quhairby thaj ar ſteirit vp aganis ws for our ſinnis, Thair ſalbe ane publict humiliatioun of all thame that feiris God and profeſſis his trew religioun, with publict prayer and faſting throchout this haill realme, to begin the xxiij day of Nouember nixt to cum, and to end the laſt day of the ſaid moneth: And to the effect, that thaj quha ar notorious offendaris and publick ſlanderers of the Kirk may be brocht to amendment of lyff, or els be excludit furth of the Societie of the faithfull, It is thocht expedient, that betuixt this and the xxiij day of Nouember, in all provincis and paroche kirks quhair the ordour of diſcipline is, the Superintendants, Commiſſionars of cuntries, Miniſtaris and Eldaris, ſall call befoir thame at appointit dayes all notorious offendaris within thair juriſdictionis, ſic as murthoreris and aſſiſtaris of murthoreris, adulteraris, furnicatouris, roberis of the patrimonie of the Kirk, or vther menis poſſeſſiouns, and ſiclyk vtheris criminal perſonis in all eſtaitts, beginand at the Miniſterie and Nobilitie, and ſa proceiding to all vtheris, that wickitnes and ſuch hynous crymes that offendis the majeſtie of God, may be purgit furth of this cuntrie. And ſpeciallie, that it may be knowin that Miniſtaris quha aucht be good exempel, alſueill be doctrine as lyff, to provok vtheris to godlie converſatioun, be not exemit, bot rather firſt tryit, it is thocht neceſſar, that all Superintendants and Commiſſionaris of cuntries tak diligent inquiſitioun of the lyfe of all Miniſtaris, Exhortaris and Reidaris, and quhat faltis ſalbe fund, ſeveir correctione to follow thairvpone, according to the natur of the cryme. And in caice Miniſtaris ſould appear to conceall thair awin imperfectionis, that all men be requyrit to declair to the Superintendantis and the Commiſſionaris the vyces that thaj knaw to be in thame: And in lykwayes, becaus in the reformatioun of the Nobilitie conſiſtis the chieff exampill of the haill cuntrie, we crave nocht onlie a general reformatioun of ſuch imperfectiouns as ar in

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thame, but als that ſuch vycis as in particular ſalbe gevin in to thame be amendit; ſic as that thaj be reformit in the wrangous vſing of the patrimonie of the Kirk, applying the ſame to their particular vſe, to the great hurt of the Miniſterie, the Scullis and Poore: And that the Commonis may be eaſed be thame, baith in paying of their teinds and vtheris dewties, in reſpect of thair great pouertie; and that thaj may amend thair great negligence in tymes paſt in puneiſſing of vyces, throchout this haill realme, ſiclyk as inceſt, adulterie, bloodſcheding, and ſorcerie, &c.; and that thair may be notabill perſonis deput with commiſſions for that effect to execute the ſame; and that ſic as haue reſſauit commiſſion alreadie, to be chargit to proceid thairin: And that the actis of Parliament and Counſaillis maid aganis the brekaris of the Sabbath day may be likewiſe execute. Onto the quhilk heids contenit in this article we deſyre my Lord Regents Grace and Counſell to aggrie, and to authoriſe the ſame.

Secundlie, As concernyng the papiſtis that be in this cuntrie ȝit remanyng, That thaj without all exceptionis of perſonis, grit or ſmall, ſalbe chargit alſueill be the Counſall as Miniſterie, to compeir at certane dayes, as ſalbe appoyntit, before ſuch as the Kirk and Counſell ſhall appoint to giue confeſſioun of thair faith, according to the acts of Parliament; and ſuch as have nocht recantit, to mak thair publict recantationis; and thaj that are excommunicat for that caus, to vnderly ſic injunctiouns as ſalbe laid to thair charge; and gif any of thame failzies heirin, their haill guids and geir to be confiſcat, and thame ſelffis baniſt off the cuntrie; and thaj that ar beneficed perſonis, thair benefices to vaik, and to be diſponit to qualifeit perſonis; and if thaj (being decernit to be baniſt) be fundin heirefter in the cuntrie, it ſalbe leſum to all the ſubjectis in this realme to invaid thame and euerie ane of thame to the deith, as enemies to God, the King, the Kirk, and the commoun weill of the realme; and that ſic as be convict be the law alreadie, or may be convict, be execute with all rigour; and all vtheris that be excommunicat for ony vther cryme or offence, ſalbe callit lykwayes to particular dyatis, to ſatiſfie the Kirk, or els to incure the lyk panis and punifment as is befoir ſpecifeit; and that thaj that reſetts and mantenis thame, if after due admonition they deſiſt not from their company, ſalbe haldin partakaris with thame, and be comptit in the rank of papiſtis, to be puniſt in ſemblable maner.

And forder, we deſyre that the Act of Parliament be put to execu-

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tioun, That nane be admittit to publict offices of Counſall, Seſſioun, or vtherwayis, that ar knawin to be papiſtis, or mantenearis or fauoraris of papiſtis: Alſo, becaus thair is Meſs ſaid in certane places of this cuntrie, as in auld Abirdene, Dunkeld, Paſlay, Eglingtoune, That thair be a ſpeciall day aſſignit to aſſemble all the profeſſouris of the religione in places nixt adjacent to the boundis quhair the ſaid Meſſis ar vſit, for apprehending of the Meſs ſayaris; and alſo the heiraris to vnderly the law: Lykwayes, incaiſs this preſent diuiſioune tak ſum aggrement and concord, That nane be comprehendit thairin bot ſic as ſalbe obleiſt for the mantenance of the religioun aganis the enemies thairof: Attour, That all ſuch perſonis, as haue (ſen the Reformatioun began) ſocht from the Paip billis or benefices, ſalbe haldin as papiſtis, and pvniſt thairfoir, conforme to the act of Parliament; and that all profeſſouris of the religioun having benefices, and able to preitch, may be chargit to do thair office, ſeing that it is not reſſonable that thaj tak vp the leiving, and remayne ydill.

Thirdly, For reſiſting of the papiſtis of forane cuntries, alſweill within as without, that my Lord Regents Grace and Nobilitie ſall caus ſuch ordour, That ane League and Confederacie be maid with our nychtbouris of Ingland, and vther cuntries reformit and profeſſing the trew religioun, that we and thaj be joynit togidder in mutuall amitie and ſocietie, to ſupport euerie ane vther, quhenſoeuer tyme or occaſioun ſall ſerue for mantenance of religioun, and reſiſting of the enemies thairof: Lykas, That ane ſolempnit band and aith may be maid be all thame that be profeſſouris of the Evangell within this realme, to joine thameſelffis togidder, and be reddie at all occaſiouns for reſiſting the enemies foirſaids: And gif any beis fund negligent thairin, he ſalbe haldin for ane falſe broder, and excommunicatioun to proceid aganis him. Pollock M.S. & C.]

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A. D. M.D.LXXII.

THE Generall Aſſemblie haldin in the Counſell hous of Edinburgh, the 6 day of Marche 1572: · In the quhilk were preſent Barrons, Superintendents, James, Biſchop of St Androes, Commiſſioners to plant Kirks, Miniſters, Commiſſioners of Provinces, Townes, Kirks, Univerſities. David Ferguſone, Moderatour.

Seſſio 1a

[In the trial of Superintendents and Commiſſioners to plant Kirks, John Brand Miniſter of Halyrudhouſe compleaned, That the Biſhop of Sanct Andrews admitted a Popiſh Prieſt called Sir John Forret, to miniſter the Sacrament of Baptiſme in the Merce in Swinton, to whom the Superintendent of Lothian had of before given certain injunctions which the ſaid Prieſt had not yet fulfilled. It was generally compleaned, That he had not viſite the Kirks within the bounds of Fife this half year bygane; and alſo for not preaching ſince he was a Biſhop. To the firſt he anſwered, That the foreſaid Prieſt recanted all Papiſtrie in the Kirk of Sanct Andrews; and thereafter he admitted him to adminiſter the Sacrament of Baptiſme. The Aſſembly ordained the ſaid Popiſh Prieſt to repair to the Superintendent of Lothian to receive his injunctions; and in the mean time to be diſcharged of all office and function in the Kirk. To the ſecond he anſwered, That he preached in every Kirk which he viſite be himſelf at all times, but excuſes his not viſitation ſince the laſt Aſſembly be reaſon of his ſickneſs.

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The Superintendent of Angus and Mernes was accuſed, for not making exhortation at the beginning of this Aſſembly according to the order. He excuſed himſelf be reaſon of the Sermon made in the Kirk, ended immediately before, and the advice of ſome brethren, who thought it not needfull, yet ſubmitted himſelf to the correction of the Aſſembly.

Mr George Hay, Commiſſioner of Aberdeen, was compleaned upon, That he had one benefice in the North, another in the South, and was alſo Commiſſioner to plant kirks, of the which charges he could not ſufficiently diſcharge himſelf. He anſwered, That he ſerved the cure in the North be himſelf, and hath provided one who ſufficiently will diſcharge the cure in the benefice in the South; as to the Commiſſionarie, He is content to demitt the ſame preſently, if the Aſſembly think it good.

Mr David Lindſay, Commiſſioner of Kyle, Carict and Cuninghame, was compleaned upon, That he left his congregation deſtitute, the time that he viſited the weſt countrey. He anſwered, That the Kirk was ſufficiently provided the time of his viſitation: To the Commiſſionarie, He is content to be diſcharged thereof as the Aſſembly thinketh meet.

Mr John Row, Commiſſioner of Galloway, was compleaned upon, That he had plurality of benefices, but they knew not how the Kirks were provided of preaching. He anſwered, That he had two Viccarages, but reapeth no profite of them; and withall deſired to be diſburthened of the Commiſſionarie of Galloway. C.]

Item, Maſter Johne Row complainit upon for ſolemnizing the band of matrimonie betuixt the Maſter of Craufurd and the Lord Drummonds Daughter without proclamatioun of bands, and, in lyke manner, out of dew tyme, viz. on a Thurſday at afternoon prayers, anſuerit, That he did nothing bot the command of the Seſſioun of his Kirk and my Lord Ruthven, ane ſpeciall ane of the elders of the ſaid Kirk.

The Kirk preſently aſſemblit ordaines the Act made againſt Miniſters that marries vther parochiners without proclamation of bands, to have effect and ſtrenth agains Mr John Row, [for ſolemnizing of the foreſaid marriage, and] to vnderly the ſamein dureing the Kirks will.

[The Aſſembly ordained all Superintendents and Commiſſioners to plant kirks, to give in their diligence of their viſitations; and appointed Mr William Clerk, Miniſter of Anſtruther, Mr Archibald Keith, Miniſter of Peterhead, George Scot, Miniſter of Kirkaldie, James Anderſone, Miniſter of Beduchie, John Dykes, Miniſter of Culros, Robert Fairlie of Braid,

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Patrick Kynninmouth, to conveen before the end of the Aſſembly; and what they find in the ſame diligences to report to the Aſſembly.

The whole brethren aſſembled in one voice gave their full commiſſion and power to thir brethren underwritten, viz. John Biſhop of Sanct Andrews, John Areſkine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winram, Superintendent of Stratherne, Mr Robert Pont, one of the Senators of our Soveraign Lords Seſſion, Mr John Row, Mr David Lindſay, Robert Fairlie of Braid, Adam Fullerton, one of the Commiſſioners of Edinburgh, to concurr with the Lord Regents Grace and Counſell, or with ſo many as his Grace ſhall appoint, to reaſon with them of ſuch heads and articles as ſhall be propoſed be my Lord Regents Grace and Counſell, or be the Aſſembly to his Grace, and to conclude thereupon, according to the inſtructions given to them be the Aſſembly, and to report their concluſions before the end of this Aſſembly. C.]

The Kirk aſſemblit, for certaine good conſiderations moving them, ſtatutes and ordaines, That no collectiouns for the pure be made in the tyme of the miniſtratioun of the tabill of the Lord Jeſus, nor zet in the tyme of the ſermouns, heirafter within kirks, bot only at the kirk doores.

Seſſio 2a

[The Aſſembly, for certain cauſes moving them, continued in the office of Commiſſionarie to plant kirks, till the nixt Generall Aſſembly, the perſons underwritten, Mr George Hay for Aberdeen, Mr Donald Monro for Roſſe, Mr David Lindſay for Kyle, Carict and Cunninghame, Mr John Row for Nithiſdaill and Galloway, Mr Andrew Hay for Cliddiſdaill, Ranfrew and Lennox.

The Aſſembly appointeth the Superintendent of Stratherne, Mr Robert Pont, one of the Senators of our Soveraign Lords Colledge of Juſtice, Mr John Row, Mr Andrew Hay, and John Johnſtone, one of the Commiſſioners of Edinburgh, to conveen the morne at two hours afternoon, to pen the heads and articles to be preſented to my Lord Regents Grace and Secret Counſell, &c.; that thereafter they may be read, &c.

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Seſſio 3ª

Forſamikle as it is thought that diverſe Miniſters and other perſons that have received benefices ſince the Reformation, make no reſidence at their kirks, nor yet diſcharge their office according to the tenor of their admiſſions, for the reformation hereof, C.] The Kirk aſſemblit ſtatutes and ordaines all Miniſters and vther beneficit perſons that hes receivit benefices ſince the Reformation, to make reſidence at the kirks quher their benefices lyes, and vſe their office according to the tenour of their admiſſioun; and if any beis found to doe in the contrair, that they be callit to particular dyatts befor the Superintendents or Commiſſioners of the provinces quher ſick benefices are, to quhom the Kirk gives power to depoſe the ſaids perſons in their viſitations, for none reſidence; and quhatevir anie of the ſaids Superintendents or Commiſſioners happins to doe in the premiſſes, to report to the nixt Aſſemblie.

[The Regent ſent to the Aſſembly the requeſt following for Mr Knoxes Wife and Children.

Reverend fathers, truſtie and well belovits, We greet you heartily well: Seing John Knox, Miniſter of the word of God, is now departed this life, after his long and faithfull travells in the Kirk, leaving behind him Margret Steuart his relict, and his three daughters begotten of her, unprovided for; and ſeing his deſerts merit to be favourably remembred in the help of his poſterity, We will, effectuouſly require, and pray you, to give and conferr to the ſaid Margret relict and three daughters foreſaids the penſion which the ſaid unquhill John had of the Kirk in his time, for the nixt year after his deceaſe, viz. of the year of God 1573 years, to their education and ſupport, extending to five hundreth merks money, two chalders of wheat, ſix chalders bear, four chalders oats, to be lifted for that year out of the ſamine aſſignations and places that he had it of in his time; wherein we doubt not but ye ſhall doe a work acceptable to God; and We will alſo receive it in thankfull and good pleaſure: Thus we committ you to God. At Edinburgh the 26 day of November 1572, Your aſſured friend,

James Regent. C.]

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The Aſſembly remembring the long and fructfull travells made in the Kirk of God be vmquhile John Knox, Miniſter of Edinburgh, lately departed in the mercy of God, leaving behind him Margret Stewart his relict and his three daughters gotten on her unprovided for, and ſeing his long travells and deſerts merites to be favourablie remembrit in his poſteritie, being alſo required moſt earneſtly thereto be my Lord Regents Grace, as his letters direct thereupon bear, have granted and conſented to give, and be the tenor hereof grants, gives, conſents and diſpones to the ſaid Margret relict, and her three daughters of the ſaid vmquhile John, the penſion which he himſelf had in his time of the Kirk, and that for the zeir nixt approachand and following his deceis, viz. of the zeir of God 1573 zeiris, to their educatioun and ſupport, extending to five hundreth marks money, tua chalder wheit, ſax chalder beir, four chalder aittis, to be uplifted for that year allanerly out of the ſamine aſſignations and places that he had it in his time; and therefore requires, and in the name of God deſires, the Lords of Counſell and Seſſion to grant and give letters, at the inſtance of the ſaid relict and bairns of the ſaid unquhill John Knox, to cauſe them be anſwered, obeyed and payed of the ſaid penſion of the year forſaid, in the ſame form, and better if need be, as was granted to himſelf in his time. C. & B.]

[Richard Bannatyne Servitor to unquhill Mr Knox preſented the ſupplication following.

Unto your Wiſdoms humbly means and ſhews I your Servitor Richard Bannatyne ſervant to your unquhill moſt deareſt brother [John Knox] of worthy memory, That where it is not unknowen to your Wiſdoms that he left to the Kirk and town of Edinburgh his hiſtory, containing in effect the beginning and progreſs of Chriſts true religion, now of Gods great mercy eſtabliſhed in this realme, wherein he hath continued and perfectly ended at the year of God 1564; ſo that of things done ſenſyne nothing be him is putt in that form and order, as he hath done the former; yet not theleſs there are certain ſcrolls, papers and minutes of things, left to me be him to uſe at my pleaſure, whereof a part were written and ſubſcrived with his own hand, and another be mine at his command, which, if they were collected and gathered together, would make ſufficient declaration of the principall things that have occurred, ſince the ending of his former hiſtory

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at the year forſaid, and ſo ſhould ſerve for ſtuff and matter to any of underſtanding and ability in that kind of exerciſe, that would apply themſelves to make a hiſtory even to the day of his death: But forſamikle as the ſaids ſcrolls are ſo untacked and mixed together, that if they ſhould come in any hands not uſed nor accuſtomed with the ſame, as I have been, ſhould altogether loſe and periſh; and ſeing alſo I am not able, upon my own coſts and expences, to apply myſelf and ſpend my time to putt them in order, which would conſume a very long time; much leſs am I able to write them, and put them in Regiſter as they require to be, without your Wiſdoms make ſome proviſion for the ſame; wherefore I moſt humbly requeſt your Wiſdoms that I may have ſome reaſonable penſion appointed to me be your Wiſdoms diſcretion, that thereby I may be more able to awaitt and attend upon the ſamine, leaſt that theſe things done be that Servant of God, who was dear unto you all, ſhould periſh and decay, which they ſhall doe indeed, if they be not putt in Regiſter, which I will doe willingly, if your Wiſdoms would provide as ſaid is. And your Wiſdoms anſwer, &c. C.]

The Kirk [accepted the ſaid Richards offer, and] requeiſtit the Kirk of Edinburgh to provide and appoint ſome learnit men to ſupport Richard Bannatyne to put Johne Knox Hiſtory, that now is in ſcrollis and papers, in good forme [with aid of the ſaid Richard]; and, becauſe he is not abill to awaite therupon upon his awin expenſſis, appoints to him the ſowne of xl lb. to be payit off the lxxij ȝeirs crop, [be the collectors underwritten, viz. the Collector of Lothian, Fife, Angus, and the Weſt, Galloway and Murrey, and every one of them to pay ſix pound thritteen ſhilling four pennies off the ſaid crop; and it ſhall be allowed to them at compt, bringing the ſaid Richards acquittance thereupon.

Seſſio 4ª

For the more heaſtie diſpatching of complaints, requeſts and queſtions, were appointed the brethren underwritten, viz. William Chriſteſone, Miniſter of Dundie, Mr James Balfour, Miniſter of Guthrie, Mr Robert Hammilton of Sanct Andrews, Mr John Young of Irving, Mr William Clerk of Anſtruther, Mr James Greg of Commonell and David Ramſay of Cleiſh, Miniſters reſpectivé, to conveen inſtantly in any place where

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they pleaſe, and read the ſaids complaints, requeſts and queſtions, and give anſwer to the ſamine; and what they find difficill, to ſend it again to the whole Aſſembly.

Seſſio 5ª

The Aſſembly ordaineth every Superintendent and Commiſſioner to plant kirks, That they appoint Miniſters, exhorters and readers to moe kirks then one according to the neceſſity of congregations and rarity of Miniſters, as the Superintendents and Commiſſioners forſaids ſhall think meet and convenient, as they will anſwer to the complaints of the congregations, which hereafter ſhall have juſt cauſe to lament to the Generall Aſſembly.

Seſſio 6ª

The Seſſion of the Kirk of Edinburgh requeſted the Aſſembly to appoint one of the Miniſters underwritten to be joined with Mr James Lowſon already placed, to wit, David Ferguſone, John Braid, George Scot, now Miniſters of Dumfermline, Halyrudhouſe and Kirkaldie. The Aſſembly giveth commiſſion to their loving brethren, John Biſhop of Sanct Andrews, John Areſkine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Spotſwood, Superintendent of Lothian, Mr John Winrame, Superintendent of Stratherne, with advice of the Seſſion of the Kirk of Edinburgh, to chooſe one of the forenamed, or otherwiſe ſatiſfy the deſire of the ſaid Kirk of Edinburgh: and ſicklike another for the Kirk of Jedburgh; and whomſoever they ſhall happen to chooſe, the Aſſembly ſhall cauſe him enter, and this to be done before they depart out of this town.

The Aſſembly, for certain cauſes moving them, diſcharge Alexander called Biſchop of Galloway to uſe any function within the Kirk of God, till they be farther adviſed; and ordaineth Mr John Row, Commiſſioner of Galloway, to ſummon the ſaid Alexander, To compear before the next Generall Aſſembly to anſwer to ſuch things as ſhall be laid to his charge, under the pain of Excommunication, &c.

The Aſſembly ordaineth the Superintendent of Strathern to paſs to

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Sanct Johnſtoun and take order with Mr John Row and the Seſſion of that Kirk, for the Solemnizing of the marriage betwixt the Maſter of Crauford and the Lord Drummonds daughter; and to report the order he ſhall happen to take therein to the nixt General Aſſembly. C.]

Ordains all and ſundrie Superintendents and Commiſſioners to plant kirks, To proceid ſummarlie to excommunication againſt all Papiſts within their provinces, and that within eight dayes after they be admoniſhit to joyne themſelves to the religion preſentlie eſtabliſhit within this realme, be hearing of the word of God, participating of the ſacraments, ſubſcrive and give their aith according to the Act of Parliament, and Acts aggriet on betwixt my Lord Regents Grace and Secreit Counſell and the Kirk, [and if any ſhall refuſe to proceed, &c. P.]

[Forſamikle as my Lord Regent deſires to ſee the Acts of the Generall Aſſembly heretofore holden, and to ſee how many of them be perpetuall, and how many temporall, the Aſſembly agreeth therewith, and for that purpoſe appointeth their brethren, Mr John Spotſwood, Superintendent of Lothian, Mr Robert Pont, one of the Senators of our Soveraign Lords Colledge of Juſtice, Mr David Lindſay, Mr James Lowſon, Mr Clement Little, Advocate, and John Brand, Miniſters of Leith, Edinburgh and Halyrudhouſe reſpectivé, to conveen with my Lord Regents Grace and Secret Counſell, to overſee the Acts of the General Aſſembly according to my Lord Regents Graces deſire.

The Aſſembly ordaineth my Lord Argiles proceſs againſt Jean Stewart his ſpouſe, to be conſidered and ſighted be the Seſſion of the Kirk of Halyrudhouſe, with advice of the Superintendent of Lothian; and if it be ſufficiently and lawfully proceeded, that the ſaid Superintendent direct his letters to the Miniſter of Halyrudhouſe, charging him to proceed to excommunication againſt her, and that the ſaid excommunication be publiſhed in the kirks of Edinburgh and Leith be the Miniſters of the ſaids kirks.

Anent the difficulty of the queſtion of divorcement betwixt my Lord Argile and Jean Stewart his ſpouſe, the Aſſembly appointed Mr Robert Pont, one of the Senators of our Soveraign Lords College of Juſtice and Miniſter of Gods word, Mr David Lindſay of Leith, Mr James Lowſon of Edinburgh, Mr Clement Little, Advocate, and Alexander Arbuthnet, Principall of the Colledge of Aberdeen, Mr John Row, Miniſter of Perth, Mr John Craig, Miniſter of Gods word, Mr Robert Hammilton, Miniſter of Sanct Andrews, that they or any five of them convene with ſuch perſons as my

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Lord Argile ſhall appoint to reaſon the ſaid queſtion of divorcement, and that the ſaid brethren conveen the nixt day after the diſſolving of this Aſſembly: and the queſtion being reaſoned and brought to ane head wherein doubt ſtandeth, wherein the ſaid brethren cannot then inſtantly give reſolute anſwer, that the ſamine head be penned in proper terms, which my ſaid Lord ſhall ſend to ſuch reformed Kirks as ſhall be named be the forſaids brethren, upon his Lordſhips own expenſes; whoſe reſolution being authentically obtained, the Aſſembly promiſeth to give to his Lordſhip their declaration conforme thereto.

Seſſio 7ª

Forſamickle as ſundry Superintendents and Commiſſioners to plant kirks, come not to the Aſſembly the firſt day, wherethrough ſundry matters are undone, which might be ſped and diſpatched; and alſo other ſome depart before the diſſolving of the ſame, wherethrough ſundry matters are unreſolved for laike of ſufficient number: For eſchewing of the premiſſes and for eſtabling of better order in time to come, C.] It is ſtatute and ordainit be univerſall ordour of this Aſſemblie, That all Biſchops, Superintendents and Commiſſioners to plant kirks preſent themſelves in every Generall Aſſembly that heirafter ſall be haldin, the firſt day of the Aſſemblie before noone; and that they remaine quhill the end of the ſame, under the paine of the tinſell of ane halfe of their ſtipend for ane zeir, and nottheleſs to ſerve in the mean tyme of the wanting of the ſaid portion of the ſtipend.

[Anent the hearing of the collectors compts at the Chekker, at what time my Lord Regents Grace ſhall appoint the ſamine to begin, The Aſſembly appointeth John Biſhop of Sanct Andrews, John Areſkine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Spotſwood, Superintendent of Lothian, Mr John Winrame of Stratherne, Mr John Row, Commiſſioner of Galloway, Mr Andrew Hay Commiſſioner of the Weſt, Mr George Hay Commiſſioner of Aberdeen, Mr David Lindſay, Commiſſioner of Kyle, Carict and Cunninghame, Mr Donald Monro of Roſſe, Mr Robert Pont of Murrey, Commiſſioners reſpectivé, to conveen the ſaid time to be appointed as ſaid is, to hear the ſaids collectors compts, with the reſt of the Lords of our Soveraign Lords Chekker, allow and approve, or diſ-

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allow according to their wiſdom and conſcience, and after the ſaid compts ſhall be made, to ſubſcrive the ſame according to the order taken, &c.

Touching the complaint given in be Mr Robert Scot againſt Mr John Winrame, Superintendent of Stratherne, for refuſing to give him his letters teſtimonials of the Vicarage of Strathmiglo, and for not admitting him to be reader in the ſaid kirk, conform to my Lord Regents Graces preſentation, The Aſſembly findeth the ſaid ſuperintendent to have done wrong, in refuſing the ſaid letters teſtimonials conform to the preſentation forſaid, and giveth full power and commiſſion to the Miniſters, elders and deacons of the congregation of Sanct Andrews, to take cognition, decide and conclude upon the whole reſt of the ſaid Roberts complaints yet undecided, vocatis ad hæc quorum intereſt, and is to be done betwixt this and the nixt Generall Aſſembly; and to report their proceedings to the ſame, as in the former Act. C.]

Anent my Lord Regents Graces deſyre tuiching [the placing] of ſome of the learnit Miniſters to be Senatours in the Colledge of Juſtice, The haill Kirk preſentlie aſſemblit having at length reaſonit, Whether a Miniſter were able to diſcharge himſelfe of both the vocations, votit throughout, That nane was able or apt to beare the ſaids twa charges, and therfor inhibits that any Miniſter occupying the vocatioun of the Miniſtrie take upon him to be a Senatour; Mr Robert Pont only excepted, who is already placit with [advice and] conſent of the Kirk.

[John Areſkine of Dun, Knight, Superintendent of Angus and Mernes, in reſpect the whole Diocie of Sanct Andrews is decerned be the Aſſembly to pertain to the Biſhop of the ſame, proteſted, That he be no more burthened with any viſitation in theſe bounds pertaining to the ſaid Biſhoprick; and in like manner, pertaining to the bounds within the Biſhoprick of Dunkeld, how ſoon any Biſhop ſhall be provided thereto.

In like manner, Mr John Spotſwood, Superintendent of Lothian, proteſted, ut ſupra.

The Aſſembly referred to the Commiſſioners appointed to reaſon with my Lord Regents Grace and Secret Counſell, to take order anent theſe proteſtations with his Grace and Counſell, and what they doe, to report to the next Aſſembly.

Ordaineth the Commiſſioners already appointed to conferr with my Lord Regents Grace and Secret Counſell, to continue in commiſſion before given, and it to ſtand in the ſame force and effect as is contained therein; and

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moreover to conferr with the Lords of Articles of Parliament, if any ſhall be holden in the meane time, till the nixt Generall Aſſembly; and to report then the heads concluded on be them, to the effect that they may be inſert in the Regiſter among the reſt of the Acts.

Item giveth commiſſion to the forſaid Commiſſioners to chooſe a collector for the province of Aberdeen, with advice of the Miniſters of the ſaid province; which advice and opinion the Aſſembly ordains the ſaids Miniſters to ſend to the forſaid Commiſſioners betwixt and the 24 of Aprile nixt to come.

The brethren appointed to decide queſtions and complaints reported the ſamine anſwered. C.]

[Articles and conditions preſented be the Superintendent of Lowthiane and Miniſters within his Juriſdiction, penned and ſubſcrived be them in their Synodall Convention holden at Edinburgh, the 6 day of October: The tenor whereof followeth.

In primis, The brethren of the forſaid Convention craved, That a copie of the Acts of the Generall Aſſemblie be given to every Exerciſe, to the end that every Miniſter may have knowledge what order to obſerve in their proceedings, for it is moſt certain, that through ignorance of the foreſaids acts many faults are committed which otherwiſe would not be done.

Secondly, It is craved be the brethren, That ſick matters as falls out betuixt the Synodall Conventiouns and Generall Aſſemblies ſalbe headed and notit at every Exerciſe, 20 dayes befor the Generall Aſſemblie, that the brethren may be ripely adviſed with the ſamine, where through many things may be ended, which through laike of adviſement ſuffer delay from Aſſembly to Aſſembly; at the which time it is craved, that the brethren have their places in voting, and that no brethren be defrauded thereof, That the weighty matters of the Kirk be not concluded be a few, as often times they are without knowledge or conſent of the brethren. C.& B.]

Thirdly, That ſick matters as are referrit to the Generall Aſſemblie be the Particular, be pennit be the Superintendents Clerk, and faithfully reported to the Generall Aſſembly be the ſaid Superintendent.

Fourthly, That the Generall Aſſembly be frequent with the Nobilitie and Barronis, as weill as Miniſters, that the face of the Aſſembly may be had in reverence as in foir tymes.

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[Fiftly, It is required, That the whole rents, as well victualls as of money within the Collectorie of Lothian, be made known to all the brethren in theſe bounds, what is received thereof, and how it is diſponed; and for this purpoſe, that the brethren of all parts be choſen at the Synodall convention to hear the collectors compts, as well of the reſts of the former collector, as alſo ſince his own entry: Alſo, That the injunctions given to the collector may be read every Synodall convention, and trial tane how they are obeyed, but ſpecially concerning the aſſignation of victualls to Miniſters on the Kirks proceſs; and that the collector according to the liberty granted to every Synodall convention may be alone diſcharged.

Sixtly, That the collectors officers charge for repairing of Kirks.

Seventhly, That all miniſters may have aſſignation of their ſtipends.

Eightly, That the extracts of the Superintendents office regiſtred in the Book of Diſcipline, may be given to the Miniſter of every province, to the end that the Superintendents may be tryed thereby, and as that they are found dilligent, to be continued or changed.

Nintly, That the procurators of the Kirk may be examined, Why they are ſo ſlack and negligent in the Kirks matters. C.]

Tently, That ſick Miniſters as hes not quherwith to buy bookes, may have bookes louſit to them be the collectour, and to allow the pryces therof in their ſtipends.

[The Articles were ſubſcrived as followeth,

William Harlaw,	Andrew Simſone,	Matthew Liddell,
Mr Adam Letham,	Mr William Strang,	Thomas Lichton,
Patrick Gileſpie,	William Knox,	Mr George Ramſay,
David Hume,	John Spotſwood,	Michael Bonkle,
Mr Walter Ballingall,	David Lindſay,	Andrew Simſone,
William Lamb,	Adam Johnſtone,	John Clapperton,
Mr Thomas Makgie,	Thomas Daill,	Mr James Carmichall,
Richard Fleming,	George Thomſone,	William Sanderſon.

The Kirk approves and ratifies all the forſaid articles as neceſſar and profitable. C.]

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Queſtio. It is aſked if it be not very good and neceſſar for the Kirk, That Biſchops, Superintendents and Commiſſionars purchaſe generall letters without delay, commanding all men to frequent preaching and prayers, according to the ordour receivit in their congregations; and alſo to charge the Magiſtrate to put the acts concerning the obſervance thereof, as weill grantit be Parliament, as frielie with uniform conſent the congregations hes condeſcendit vpon, and for execution of diſcipline and puniſching of vyces; and the ſamine to be putt in full execution and practice. Anſwer. It is thought moſt reaſonable and expedient; and burtheneth Biſhops, Superintendents and Commiſſioners to purchaſe generall letters without delay to the ſame effect. C. & B.]

[Q. What order ſhall be taken with them, that being admoniſhed and making publick repentance for adultery, falleth again in the ſame crime. A. Refer to the Act of Parliament. C.]

[Q. If any man leave his wyfe and paſſe out of the countrey, and taries away the ſpace of ſevin ȝeirs, and marries another woman in a ſtrange country; and elſe his firſt wyfe be married upon another man in his abſence, Whither is the woman that marrieth before the returning of her huſband guilty of adultery. A. Both are adulterers, unleſſe the ſentence of divorcement had bein pronouncit be the Judge. C. & B.]

[Q. Whither it be neceſſar, That the names of excommunicants be publiſhed in all the reformed Kirks of that province and diocie where the excommunicants dwell, that no man pretend ignorance, and ſo haunt their company through ignorance. A. Refers to the acts of the Kirk made already thereanent.

Q. Whither be the word of God in New and Old Teſtament it is lawfull, That the two charges of function, to wit, the ſpeciall adminiſtration of the Word and Sacraments, and the miniſtration of the Criminall and the Civill Juſtice in Judgement, be confounded, ſo that one perſon may occupy both cures. C.] A. It is neither aggrieable to the word of God nor to the practiſe of the primitive Kirk, That the ſpeciall adminiſtratioun of the Word and Sacraments, and the miniſtration of the Criminall and Civill Juſtice be ſo confoundit, that ane perſon may occupie both the cures.

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[Whither it be leaſom be the word of God and good order received, That ſuch as are promoved to the ſacred vocation of the Miniſtry may leave the vocation, no fault or impediment lawfull being in them. A. Refers to the anſwer already given be the Generall Aſſembly, as the act thereanent proports.

Q. Whither if a Miniſter having hundreth merks or hundreth pounds of benefice, ſhould have his ſtipend augmented or not. A. The Ordinar ought herein to take order according to his ability that requireth the benefice.

Q. What ſhall be done to the Miniſter that is provided to a benefice and will not perſhew the ſamine, but loſeth it for fault of perſute. A. Caveat Emptor.

Q. Whither if ane Abbot, Prior, or other beneficed man may ſet the allumed thrid of his benefice in few, or long tacks, or not. A. Refers to the acts of the Generall Aſſembly.

Q. In reſpect of the act of Parliament and ordinance craving every Miniſters reſidence; the Miniſter and reader both making reſidence at one kirk, having but one gleeb, Whither ſhall the Miniſter or reader be eaſed with the gleeb. A. The Aſſembly thinks, that the Superintendent ſhould take ſuch order, as that the Miniſters be eaſed in ſpeciall. C.]

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A. D. M.D.LXXIII.

THE Generall Aſſemblie begun and haldin [in the Tolbooth] at Edinburgh the 6 day of Auguſt 1573: In the quhilk were preſent the Erles, Lords, Barrons, Biſchops, Superintendents, Commiſſioners to plant kirks, Commiſſioners of Provinces, Townes and Kirks, with the Miniſters. Mr Alexander Arbuthnot was choſen Moderatour.

[It was voted firſt, That the place of this Aſſembly ſhould be as ſufficient as if it were holden in Dundie. C.]

Seſſio 1a

Becauſe it is underſtand that certaine of the Nobilitie of this realme and Secreit Counſell are to repare to this Aſſembly, therefor the haill brethren ordaines, That the haill Nobilitie and Counſell, with Commiſſioners of Provinces, Townes and Kirks, having power to vote, ſall ſitt within the barre of the ſaid over Tolbuith; and all vthers without the ſame.

[In the trial of Superintendents and Commiſſioners, Mr John Douglaſs Biſhop of Sanct Andrews was accuſed for giving collation of the benefice of Pitcols, which was before given to a Miniſter, to Mr George Lawder who had three other benefices, preached not, and was ſuſpect of Papiſtry; that John Wemes of Brunteland enterteined a Dutch woman as his wife, his own wife undivorced, and no order taken with him; Mr Magnus

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Haleio excommunicate long ſince for adultery and haunting the company of Steuart, is not taken order with. Item, That he viſeteth be others and not be himſelf, and through his default, the Exerciſe of Sanct Andrews is like to decay; that ſuch as have offended in Lothian he receiveth in Sanct Andrews; and admitteth ſome to function in the Kirk, unable and untried, chiefly ſuch as come out of Lothian and Merce. To the firſt he anſwered, That he knew not that Mr George Lawder had moe benefices then one, and farther he injoined him to haunt the Univerſity of Sanct Andrews for a ſeaſon, or the Exerciſe of Dumbar: As to the ſecond, He remitted him to his book of viſitation: As to the thrid, Remitteth to the proceſs againſt Mr Magnus: As to the fourth, Becauſe of the rarity of people now in time of harveſt, it is ſuperceded till his returning.

Mr James Paton, Biſhop of Dunkeld, was delated, That he had received the name of a Biſhop, but they had not heard that he had uſed the office of a Biſhop within his bounds: Anſwered, That he had lately received that Biſhoprick, and that there was a Superintendent continued in that bounds till this Aſſembly. He was accuſed likewiſe, That he had not proceeded againſt Papiſts, and chiefly againſt the Earle of Atholl and diverſe others within his bounds: That he was ſuſpect of Simonie committed betwixt him and the Earle of Argill, anent the profite of the Biſhoprick; and ſuſpected of perjury in receiving of the ſaid Biſhoprick, becauſe he giveth acquittances, and the Earle receiveth the Silver of the ſaid Biſhoprick. Item, For voting in Parliament anent the Act of Divorcement lately made in prejudice of the Aſſembly, who had ſuſpended their Judgement in this matter till farther adviſement, according to the Act of the laſt Aſſembly.

Seſſio 2a.

Mr George Hay, Commiſſioner of Aberdeen, was accuſed upon ſundry heads, and he was ordained to make anſwer in writt this day afternoon.

Mr Robert Pont, Commiſſioner of Murrey, was accuſed, That he made no reſidence in that countrey, and that he viſite not the kirks of the ſame the two years bygane, except Inverneſs, Elgine and Forreſs, nor had appointed manſes and gleebs according to the Act of Parliament: Anſwered,

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He had no leaſure to doe the forſaids, becauſe it behoved him to return before the laſt of June. C.]

[The Aſſembly appointed John Durie, one of the Miniſters of Edinburgh, David Hume, Miniſter of Aldhamſtocks, Mr Roger Gordon of Quhitterne, Mr Peter Primroſe of Mauchlin, Mr David Cunninghame of Monklane, Mr John Keith of Duffus, Mr Archibald Keith, Mr James Melvill, Alexander Keith, Thomas Moriſone, Alexander Young and Peter Watſon, to viſite the books of viſitations of Biſhops, Superintendents and Commiſſioners to plant kirks, and to report what they find before the nixt Aſſembly. C. & B.]

[The Aſſembly giveth full power and commiſſion to their loving brethren, John Areſkine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winrame, Superintendent of Stratherne, Mr Robert Pont, Commiſſioner of Murrey, and one of the Senators of the Colledge of Juſtice, Mr John Row, Commiſſioner of Galloway and Nithiſdaill, Robert Fairlie of Braid, Thomas Scot of Abbotſhall, James Johnſton of Elphinſton, Adam Fullerton, Mr David Cock, David Marr and Robert Red, Commiſſioners of Edinburgh, Sanct Andrews, Aberdeen and Dundie reſpectivé, to concurr with my Lord Regents Grace and Lords of Secret Counſell, confer and reaſon upon ſuch heads and articles as ſhall be proponed be his Grace and Counſell forſaid, and to receive anſwer to the articles and heads which are to be proponed be the Kirk to his Grace, and to report their conference and reaſoning to the Aſſembly, before the diſſolving thereof, that concluſion may be had therein.

Seſſio 3ª

The Collectors of the thrids were called to ſhew their diligences anent the horners, and to give up their names to their Biſhops, Superintendents, and Commiſſioners, what time they ſhall be required thereto be them.

Forſamikle as the Commiſſioners ſent to my Lord Regents Grace, ſhould reaſon and confer according to the injunctions to be given to them be the Aſſembly, and articles, the Aſſembly appointeth Mr Clement Little, Advocate, Mr David Lindſay, Mr George Hay and William Chriſteſone, to frame the heads and articles, which are to be proponed for the Kirk to

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his Grace and Counſell, and to ſend the ſamine to the brethren Commiſſioners that are preſently with his Grace and Secret Counſell. C.]

Touching them that receives excommunicants and ordour taking thereanent, The haill Kirk preſentlie aſſemblit ordaines all Biſchops, Superintendents and Commiſſioners to plant kirks, and Miniſters of particular kirks, to proceed to excommunication aganis all receivers of excommunicat perſons, if after due admonition the receivers rebell and beis diſobedient, according to the ordour conteinit in the Book of Excommunication; and quhoſoever knawand and ȝet receives and intertaines excommunicat perſons, albeit he deſiſt after admonitioun, yet ſall he underly the diſcipline of the Kirk, be making of publick repentance, except ſick as are exceptit of the Law.

And to the effect that none pretend ignorance of the ſaids excommunicat perſons, the Kirk ordaines [and ſtatutes], All Biſchops, Superintendents and Commiſſioners in their Synodall conventions, ſall take up in roll the names of the excommunicats within thair Juriſdictiouns, and bring thair names to the Generall Aſſemblies, to be publiſchit to vthers Biſchops, Superintendents and Commiſſioners, that they be thair Miniſters in their provinces may divulgat the ſamein in their haill countreyes quher the excommunicats hants.

[The Aſſembly appointeth their loving brethren, Mr Gilbert Gardin, Mr John Craig, Mr Robert Hammilton, David Ferguſon, George Scot, Patrick Kinnynmouth and James Meldrum, or any five of them, to conveen in the Inner Tolbooth afternoon, to give anſwer to queſtions and complaints, and what they find difficill, to ſend it to the Aſſembly for receiving reſolution and anſwer.

Seſſio 4ª

The Miniſters, elders and deacons of the kirk of Mauchline, complained upon Mr John Hammilton, ſon to unquhill Sir William Hammilton of Sanquhar, David Blair of Munckton, William Dumbare of Tarbolton, John Dumbar of Barr, Mr Hugh Farquhar in Crapton, Patrick Hamilton of Lynnerhauch, and Patrick Reid, brother to William Reid in Garſoll, That upon the thrid of Auguſt laſt by paſt, being the day of their Communion, and they ſitting afternoon in their Seſſion, they accompanyed with

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200 perſons or thereby, brought with them the corps of the ſaid unquhill Sir William, brake the doors of the kirk being cloſed, while they were occupied in the Seſſion anent the affairs of the Kirk, brought in the ſaid corps, overthrew and brake down their table boords, whereupon the bleſſed Sacrament was miniſtred the ſame day, and in place thereof buried the ſaid corps, notwithſtanding the ſaid Sir William was, at the time of his departure, a parochiner of another paroich; ſo that it behoved them to riſe from the Seſſion, to depart out of the church, and give place to their rage and fury. The ſaid perſons being ſummoned be Mr David Lindſay, Commiſſioner of Kyle, Carict and Cunninghame, often called and not compearing, the Aſſembly ordained to cauſe ſummone them to the nixt Generall Aſſembly, to compear under the pain of excommunication, and that the Miniſters of their paroiches or kirks where they dwell, ſummone them from pulpit to compear as ſaid is; not the leſs the Aſſembly giveth power to the Commiſſioner of that province, to receive any of ſaid perſons that willingly in the mean time offereth themſelves to publick repentance for the ſaid fault, according to the ſaid Commiſſioners diſcretion.

Alexander Biſhop of Galloway was ſummoned be Mr John Row, Commiſſioner of Galloway, to compear before the Aſſembly. He compeared. Certain heads and accuſations were given in againſt him be the Superintendent of Lothian, the Kirks of Edinburgh, Halyrudhouſe and Sanct Cuthbert.

In the firſt, We the ſaid Superintendent, Miniſters and parochiners of the ſaid kirks doe complain, That the ſaid Mr Alexander intruded himſelf in the office of the Miniſtry within the ſaid burgh of Edinburgh, where he allured, drew and perſuaded a great part of the ſaids parochiners in a company, thereby confounding all good order, wherethrough their own lawfull Miniſters were rejected.

Secondly, The ſaid Mr Alexander taught the people moſt perverſe and ungodly doctrine; but ſpecially in perſuading, entyſing and exhorting to rebell againſt our Soveraign Lord, and to join with manifeſt rebells and conjured enemies.

Thirdly, The ſaid Mr Alexander, contrar to the Act of the Generall Aſſembly made for the prayer for our Soveraign Lord, &c., moſt maliciously tranſgreſſed the ſaid ordinance, not only refuſing to doe the ſame, but alſo avowing in his prayer another Authority, and accuſing and condemning all true Miniſters, that did not the like that he did.

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Fourthly, The ſaid Mr Alexander being inhibite in ſpeciall be ane Act of the Generall Aſſembly, to have any intromiſſion with the parochiners of Halyrudhouſe, He hath notwithſtanding compelled them to adjoin with his pretended Kirk, in receiving the Sacrament then abuſed be him within Edinburgh; cauſing his pretended Bailiffs, be the aſſiſtance of the men of war remaining within the ſaid town for the time, to oppreſs and compell the ſaid poor people to give him obedience.

Fifthly, The ſaid Mr Alexander being ſworn be his ſolemn oath, for due obedience to our Soveraign Lord and his Grace Regent and authority, come in the contrar thereof, and violate and brake his ſaid former oath; but ſpecially, ſitting in a pretended Parliament for diſpoſſeſſing of our ſaid Soveraign Lord of his royal crown and authority.

Sixthly, The ſaid Mr Alexander being one of the pretended Privie Counſell, after the horrible ſlaughter of Matthew Earl of Lennox, Regent to our Soveraign Lord, of good memory, gave thanks for the ſame and others ſicklike openly in the pulpit to God, and exhorted the people to doe the ſame, ſaying, That it was Gods moſt juſt judgement that fell upon him; and as God then begann to execute his moſt juſt judgement upon him, he would not faill to execute the ſame upon the reſt; comparing oftentimes our ſaid Soveraign Lord, his Regent and true lieges, to Pharoah and wicked Abſalom, and himſelf to Moſes and David, whom God would defend.

Laſt, Be reaſon that the hainous faults of the ſaid Mr Alexander have been ſo notoriouſly knowen to all men, not only ſuch as have been committed before the Reformation, but alſo ſuch as have been committed diverſe times ſince, to the great and heavie ſlander of Gods true word, and profeſſors thereof; wherethrough many of the ſaid profeſſors, and others our Soveraign Lords true and obedient ſubjects, ſometime be him perverted, yet ſtill remain in their wicked conceived error, and can ſcarce be perſuaded in the contrar, except the ſaid Mr Alexander be cauſed confeſs his errors publickly in all places where he hath offended, but ſpecially in all the forſaid kirks.

Seſſio 5ª

Mr Alexander Gordon, Biſhop of Galloway, ſent one of his ſervants

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with ane anſwer to the accuſations forſaid: But becauſe he compeared not perſonally, the Aſſembly ordained Robert Drummond to ſummone him to compear perſonally before the Aſſembly the morne at ten hours, to anſwer farther to ſuch things as ſhould be laid to his charge.

Mr James Balfour, Miniſter of Guthrie, was ordained to paſs to the Regents Grace, the Counſell and the Commiſſioners of the Aſſembly, who were with his Grace, and to ſhew the ſaid Mr Alexanders anſwers to the ſaid heads, and to deſire his Graces advice therein, anent the alledge immunity, and incompetencie of the Judgement of the Kirk, and to report his Graces anſwer to the Aſſembly. Mr James returning reported, how after the Regent had heard the ſaid accuſations and anſwers thereto, declared, That his Grace was moſt willing to obſerve the heads of the Pacification, not prejudging the priviledge of the Kirk; and willed that all notorious open ſlander ſhould be ſatiſfied according to the diſcipline of the Kirk: The tenor of his anſwers followeth.

Brethren, I am very loath, as God knoweth, to come in reaſoning with your Wiſdoms, concerning the complaint given in againſt me be the Superintendent of Lothian and Kirks of Edenburgh, Halyrudhouſe and Sanct Cuthbert; yet in reſpect of the highneſs and weightineſs of the cauſe that dependeth thereupon, I am conſtrained, with your Wiſdoms pardon, to anſwer thereto; which is the priviledge and benefite of the Godly Act of Pacification, made be the procurement of the Queens Majeſty of England, with conſent of my Lord Regents Grace, the whole Nobility and Eſtates of this realme. Be virtue of the which Act, my Lord Duke his friends, my Lord Huntly, I and our friends, ſervants and dependents, are made from all tranſgreſſions, crimes, offences, done be us or any of us during the time of the troubles; to the which Act the reformed Biſhops, Abbots and Priors having vote in Parliament, conſented in name of the Kirk: So my Lord Regents Grace for the Criminall and your Wiſdoms for the Spirituall part, have no place to call us or any of us for any offence, during the ſaid time, for the common cauſe, which was the maintaining of another Authority, or any thing that dependeth thereupon. And it is of verity, that the complaints given in upon me depend thereupon; in ſpeciall the greateſt offence which may be laid to my charge, is only the preaching of the word, which I did at command of the other Authority, and be election and admiſſion of ſuch as profeſſed the ſame: Therefore your Wiſdoms can be no competent Judges to us, or any of us

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contained in the forſaid Act of Pacification; for as we were altogether diſobedient, at that time, to the Kings authority and Kirk touching that point, allanerly in defending another Authority; ſo are we be this Act of Pacification become obedient ſubjects to the King and Kirk in all things, except the offences forſaids, which are putt in oblivion be conſent of the Three Eſtates, as if they had never been committed: Therefore we nor none of us ought, or ſhould be troubled any wiſe for any offence done during that time, as ſaid is. In reſpect of the premiſſes, I humbly beſeek your Wiſdoms, to have regard to our eſtate, condition and ſervice done be my Lord Duke his houſe, ours of Huntly and dependers, for maintaining of Gods word, and profeſſors thereof, and how we have not ſpared in times bygane, our lifes and heretages in defence of the ſame, and that I was the firſt that publickly preached Chriſt in face of the Authority; that this our defection ſo honourably and lovingly remitted and put in oblivion, be no wiſe brought in diſputation, again to prejudge the ſaid Act of Pacification, ratified and approved in Parliament be conſent of the Kirk, as ſaid is. And if there be any other offence done be us then is contained in the ſaid Act, that may anywiſe be ſlanderous to the Kirk, before the 15 day of June, anno 1567, untill the 24 of Februar 1572, we ſhall anſwer thereto as becometh members of the reformed Kirk and true profeſſors of the bleſſed Evangell; neither can your Wiſdoms have farther Jurifdiction over me, nor over the reſt of the communicants contained in the ſaid Act of Pacification, for the cauſes forſaids: Alwiſe offers me to your Wiſdoms, all things bygane being putt in oblivion according to the ſaid Act, to ſerve in my own Juriſdiction, or to deſiſt, as your Wiſdoms pleaſe appoint me.

Mr David Lindſay, Commiſſioner of Kyle, Carict and Cunninghame, complained upon George Boyd reader at Dalry, That where he was diſcharged from all miniſtration of the Lords Supper, he hath not the leſs miniſtered the ſame on his manner in the place of Kilbirnie the laſt Paſch. The Aſſembly ordaineth the ſaid George to make publick repentance two ſeverall Sundays, the one at Kilburnie, the other at Dalry, confeſſing his offence in preſence of the parochiners, and farther at the diſcretion of the ſaid Commiſſioner, &c.: And alſo ſtatuts and ordains, That, if he hereafter tranſgreſs in ſemblable caſe, he ſhall be depoſed from all function of the Miniſtry for ever: And ſicklike, This act to ſtrike upon all others readers, that ſhall be found guilty of the like crime.

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Seſſio 6ª

Mr Alexander Gordon being ſummoned and often called, compeared not. Robert Drummond is ordained to ſummone him to compear again three hours, with certification if he compeared not, That the Aſſembly will proceed to farther proceſs againſt him. He was ſummoned but compeared not: Whereupon and for offences contained in the former accuſations, led againſt him and not denyed, it was concluded, That he ſhould make publick repentance in ſackcloath three ſeverall Sundays, one in the Kirk of Edenburgh, another in Halyrudhouſe, and the thrid in the Queens Colledge for Sanct Cuthberts Kirk; humbly confeſſing his offences and ſlander, aſking the eternal God and his Kirk pardon for the ſame: And for this purpoſe, the Aſſembly ordained Mr James Melvill and Andrew Simſon, Miniſters of Menmure and Dumbar reſpectivé, to paſs to the ſaid Mr Alexander Gordon, and admoniſh him in the Kirks name, to underly and perform the ſaid injunctions, and to begin on Sunday nixt to come in the Kirk of Edenburgh, thereafter in the other two kirks ſucceſſivé, under the pain of excommunication. C.]

[The ſame day, Alexander Hay, Clerk to the Secreit Counſell, preſentit certaine heids proponed be my Lord Regents Grace to the Aſſemblie, concerning the proviſion of Miniſters ſtipends be particular aſſignation: C. & B.] [The tenor whereof followeth.

The Summ of the Report to be made to the General Aſſembly. At Halyrudhouſe the 12 day of Auguſt 1573.

My Lord Regents Grace, even as he accepted on him the regiment, began to eſpie and conſider the corruptions and abuſes entered in the order of the Collectorie, and to remember the ſundry ſuites made be the Miniſters of the Kirk in diverſe Aſſemblies, to have certain aſſignations made to them of their livings and ſtipends, in places moſt eweſt and commodious to their reſidence; and herewithall being carefull how the article accorded upon at Leith ſhould take effect, viz. That the worthy and qualified Miniſters and Preachers might be planted and diſtributed throughout the whole realme, and the readers ſpecially appointed at every ſpeciall kirk, where conveniently it might be: His Grace ſenſyne, at ſundry diets, travelled

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with the Kirk and their Commiſſioners for the perfection of this ſo Godly and neceſſar purpoſe; and be diligent labours, the names and numbers of the paroch kirks are collected, and the Miniſters and Preachers preſent diſtribute among them, while it ſhall be Gods good pleaſure to raiſe up moe worthy and qualified perſons, zealous and willing to enter in that function, who from time to time ſhall, God willing, be ſufficiently placed and provided to competent livings. The ſtipends be common conſent are modified, and certain aſſignations to be made for payment of the ſame out of the rents of the thrids of the benefices, common kirks or benefices, newly provided ſince the Kings coronation, beginning the order of payment of the fructs now growing on the ground.

The Miniſter ſhall alwiſe be firſt provided, and to that effect, where need be, the aſſumptions of the thrids of Prelacies, and others great benefices, altered, and the aſſignation of the Miniſters and Readers ſtipends taken of the firſt and readieſt dueties of the kirk and parochine where they ſerve, out of the hands of the tackſmen, or ſuch of the parochiners, as they themſelves ſhall chooſe to be debitors unto them.

And in caſe any thing now aſſigned be before diſponed or provided in penſion, portion or otherwiſe, wherethrough the payment may appear uncertain and doubtfull, they ſhall have another ſure and ſpeciall aſſignation out of ſome other part of the thrid of that benefice, or otherwiſe in ſome place where it may be moſt commodiouſly had to their contentment, and letters granted for execution hereof in due forme as effeirs.

Item, My Lord Regents Grace minds, with all convenient expedition, That qualified perſons ſhall be promoved to the Biſhopricks now vacand, the delay whereof hath not been in his Graces own default, but be reaſon ſome intereſs was given to theſe livings in favours of certain Noblemen, before his acceptation of the Regiment; yet his Grace is perſuaded, that qualified perſons ſhall ſpecially be preſented; and in caſe of failzie, will not fail, without the others conſent, to preſent.

And in this meantime it was contented, That ſuch Superintendents and Commiſſioners as the Kirk ſhall be content with, or ſhall appoint, continue in their charges as before, where Biſhops are not placed, and have their ſtipends therefore, while the Biſhops be admitted to their own places and offices, which ſhall not be retarded in his default.

And forſamikle as ſince the reformation of religion in this realme, ſundry common kirks and common lands and ſundry benefices are ſett be the

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Prince in few and tacks, far within the juſt availl and rent which they were worth, and gave before the ſaid reformation; or elſe in a pretended manner, as freely given be the Prince in penſion or gift, upon the importunate ſute of ſome perſons, without conſideration of any ground or right how the ſame might be done, no Law nor Act of Parliament yet paſſing, whereby the power of ſetting, fewing and diſpoſition of the ſaids common kirks, common lands or thrids, were annexed to the crown, or declared to pertain to the Prince; It being good reaſon, that the Miniſters of the kirks ſhould be ſuſtained upon the rents thereof, and that the ſaids common lands ſhould be applyed to the help of the Schools, and otherwiſe, ad pios uſus; therefore ordains Summons to be libelled, at the inſtance of the Kings Majeſtys Advocate, and of the procurators of the Kirk for their intreſs thereof, for reduction of the ſaids fews, tacks and diſpoſitions, wherethrough the rents of the ſaids commons and thrids may be goodly and rightly applyed as effeirs.

It is reſolved, That the executions of the ſentence of excommunication againſt perſons excommunicate, after the ſpace of 40 days paſt, ſhall be preſented to my Lord Theaſaurer or his Clerk, who thereupon ſhall raiſe letters, be deliverance of the Lords of Seſſion, to charge the perſons excommunicate to ſatiſfy the Kirk, and obtain themſelves abſolved under the pain of rebellion; and, in caſe they paſs to the horn, to cauſe their eſcheits be tane up, and alſo to raiſe and cauſe execute letters of Caption againſt them, and that to be done at the Kings Majeſtys charges.

Touching the eſcheits of excommunicate perſons, where the wifes and children are faithfull, The law already made is thought good and worthy to be execute; and all diſpenſations dangerous, and tending to the increaſe of contempt and diſobedience.

Touching the pecuniall penalty to be raiſed on the reſetters of the excommunicate, Becauſe as yet there is no expreſs law; therefore lett ane article be formed hereanent againſt the nixt Parliament, and in the meantime the Kirk to uſe the diſcipline thereof againſt ſuch offenders.

And diligence poſſible ſhall be made for collecting and ingathering of the reſts, to the help of the Miniſters ſtanding in doubt; and it is not thought that the uptaking of the eſcheits of the rebells ſhall prejudge them.

The order of upholding of Schools in burgh and to landward, would be declared in a more ſpeciall article.

It is thought meet, The multitude of hereticall books brought in this

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countrey ſhall be burnt; and that proclamation be ſett out in ſtrait manner, That none bring home hereticall books, nor preſs to ſell them while they be viſied in time coming; and this Act to be extended in large form.

The law touching the manſes and gleebs is thought ſufficient, if the execution of the ſame be duely ſought.

Anent the ſuſtaining and upholding of Cathedrall kirks which are paroch kirks, The ſame moſt be done as it had wont to be before, while a new or better order be taine thereanent be the Parliament.

For puniſhment of perſons that paſs in pilgrimage to wells, lett the diſcipline of the Kirk be uſed againſt the uſers of ſuch ſuperſtition, and the civill Magiſtrat ſhall alſo hold handto the puniſhment.

Lett alſo ane article be formed and given in at the Parliament, for law to be made againſt ſuch perſons as make common buriall places of the paroch kirks, being commanded by the contrary.

Anent the heads and articles concerning the Juriſdiction of the Kirk, They are found very meet to be reaſoned upon; whereunto my Lord Regents Grace will appoint ſome of the Counſell to conferr with others that the Kirk ſhall depute to this effect; ſo that it whereon they aggree may be confirmed in Parliament, and have the force of a law thereafter.

Item, Seing the moſt part of the perſons who were Channons, Monks and Friars within this realme, have made profeſſion of the true religion; it is therefore thought meet, That it be injoined to them to paſs and ſerve as readers at the places where they ſhall be appointed.

To appoint a day for the election of the Biſhop of Murrey.

To appoint a day for the election of the Biſhop of Roſſe.

That the day be keeped for the election of the Biſhop of Dunblane.

To appoint a day for the election of the Archbiſhop of Glaſgow.

Commiſſioners in all provinces where biſhops are not placed.

A Suffragan for the Biſhop of Sanct Andrews in Lothian.

That every Commiſſioner tarry to ſee the principall aſſignation and order made for the payment thereof, for the weal of the Miniſters within his charge.

Seſſio 7a

. In reſpect that the Aſſembly cannot remain till finall ending of ſuch

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things as are treating betwixt my Lord Regents Grace and the Aſſembly, anent the diſtribution of Miniſters, their placing, and aſſignation to be made for ſure payment of their ſtipends, &c., The Aſſembly adjoins to their brethren already having commiſſion to reaſon and conferr with my Lord Regents Grace and Secret Counſell, the brethren underwritten, to wit, John Biſhop of Sanct Andrews, John Biſhop of Dunkeld, Mr John Spotſwood, Superintendent of Lothian, Mr David Lindſay, Mr George Hay, Mr Andrew Hay, Mr Donald Munro, of Kile, Cliddiſdaill, Aberdeen, and Roſſe reſpectivé Commiſſioners, Mr James Lowſon, David Fergusſon, of Edenburgh and Dumfermling reſpectivé Miniſters, John Brand, Miniſter of Halyrudhouſe, Mr Alexander Arbuthnet, Principall of Aberdeen, and John Gray of Fordall, That the ſaids brethren, or any thirteen of them, concurr with my Lord Regents Grace and Secret Counſell, reaſon, conferr and conclude, anent all things to be proponed be his Grace and Secret Counſell forſaid, and touching the heads, articles, requeſts, ſupplications and complaints to be proponed in the Aſſemblies name be them, conforme to the inſtructions which are to be given to them; and to report all and whatſoever their proceedings to the nixt Aſſembly, to be regiſtered among the Acts thereof: And to putt in forme the ſaids inſtructions to be delivered to the forſaids brethren Commiſſioners, the Aſſembly appointed Mr Robert Pont, Commiſſioner of Murrey, Mr John Row, Commiſſioner of Nithiſdaill and Galloway, Mr Gilbert Gardine, Miniſter of Fordyce, Mr David Cunninghame, Miniſter at Monkland, to conveen afternoon this day, and putt the ſaid inſtructions in forme, and deliver the ſamine to the ſaids brethren Commiſſioners this night, that they may proceed conforme to the ſaids inſtructions.

Anent the ſupplication given in be Robert and John Seton, ſons to the Lord Seton: The Aſſembly ordaineth the Superintendent of Lothian, with ſo many Miniſters as he will aſſume to him, to take order with the ſaids perſons; and if they will obey, ſubmitt and ſubſcrive the articles of Faith, and ſwear obedience to the Kings Majeſty, to receive them in the boſome of the Kirk according to the order. C.]

Tuiching the changing of the ſituation of the paroch kirks, their gleibs and manſſes, for the commoditie of the parochiners: The Kirk gives licence to the Biſhops, Superintendents and Commiſſioners to plant kirks, with the advyſe and conſent of the parochiners and Miniſtrie of the countrey, to change the paroch kirks, manſſes and gleibs fra ane place to another

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for commoditie of the ſaid paroch; Provyding alwayes, that the change thereof be not hurtfull to the Miniſtrie, and that ſuretie ſufficient be made of the lands in quantitie and goodneſs as they were before, to remaine with the Kirk for ever, with mortification thereof be the Kings Majeſtie.

[Forſamikle as Alexander Biſhop of Galloway, after his compearing before this Aſſembly at a time, was diverſe times thereafter ſummoned perſonally and at his lodgings, to have compeared before the Aſſembly, to have anſwered farther to things that were to be laid to his charge, and to have received the injunctions of the Kirk for ſatiſfaction of his offence and ſlander given be him, &c.: Being often times called and not compearing, The whole Kirk aſſembled decerned the ſaid Mr Alexander to make publick repentance in ſackcloath upon one Sunday in the kirk of Edenburgh, another Sunday in Halyrudhouſe, and the third Sunday in the Queens Colledge for Sanct Cuthberts: Therefore the whole Kirk preſently aſſembled, commandeth Mr Rodger Gordon, Miniſter of Quhitterne, to admoniſh the ſaid Alexander Biſhop of Galloway in the Cathedral Kirk of Quhitterne upon a Sunday in the time of publick preaching, to reſort to the ſaids kirks of Edenburgh, Halyrudhouſe and Queens Colledge reſpectivé, and there fulfill the forſaids injunctions, betwixt the day of the admonition and the 20 day of the moneth of September nixt to come, under the pain of excommunication; with certification to the ſaid Mr Alexander, that if he doe not, the Kirk commands the Miniſter of Edenburgh or Halyrudhouſe to proceed to excommunication againſt him, and to publiſh the ſame in the ſaid other two kirks, and in other kirks as ſhall be thought expedient; and ordains the ſaid Mr Rodger to ſend this preſent ordinance, duely execute under his ſubſcription, before the ſaid 20 day of September forſaid again to the Kirk of Edenburgh, as he will anſwer to the General Aſſemblie of his obedience, &c.

Mr Robert Pont, Commiſſioner of Murrey, Mr George Hay, Commiſſioner of Aberdeen, Mr John Row, Commiſſioner of Nithiſdaill and Galloway, Mr David Lindſay, Commiſſioner of Kyle, Carict and Cunninghame, Mr Andrew Hay, Commiſſioner of Ranfrew, Cliddiſdaill and Lennox, Mr Donald Monro, Commiſſioner of Roſſe, were continued in their office till the nixt Aſſembly.

The Aſſembly giveth commiſſion to their loving brother John Gray of Fordell, to plant Miniſters, erect the face of congregations, viſit Schools, &c., in ample forme within the Diocie of Cathneſs for the ſpace of a year

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nixt after the date hereof, and to report his diligence to the General Aſſembly.

In like manner giveth commiſſion to their loving brother John Brand, Miniſter of Halyrudhouſe, to viſite Tiviotdaill, Tweddaill and Forreſt till the nixt Generall Aſſembly, and to report his diligence done therein to the ſame Aſſembly. The ſaid John proteſted, That he on no ways begin his journey to the ſaid viſitation, untill ſuch time as a Miniſter were appointed to ſupply his place at Halyrudhouſe in his abſence. C.]

Seſſio 8a.

Anent them that conſults with witches: The Kirk preſentlie aſſemblit ordaines all Biſhops, Superintendents, and Commiſſioners to plant kirks, to call all ſick perſons as ſalbe ſuſpect to conſult with witches before them, at their awin particular viſitations, or vtherwayes; and if they be found to have conſulted with the ſaids witches, That they cauſe them make publick repentance in ſackcloath vpon ane Sonday in tyme of preaching, vnder the paine of excommunicatioun; and if they be diſobedient, to proceid to excommunication, dew admonitions preceiding.

Anent the uniformitie to be obſervit in proces of excommunication: It is ſtatut and ordainit, That all Biſhops, Superintendents and Commiſſioners to plant kirks, ſall direct thair letters to Miniſters quher the perſons that are to be excommunicat dwells, commanding the ſaids Miniſters to admoniſh accordingly; and in cace of diſobedience to proceid to excommunication, and pronounce the ſentence therof vpon a Sonday in tyme of preaching; and thereafter the Miniſters to indorſe the ſaids letters, makand mention of the dayes of thair admonitions and excommunication for diſobedience forſaid, and to report to the ſaids Biſhops, Superintendents and Commiſſioners, according to their direction containit in the ſaids letters.

[The Aſſembly ordaineth the Biſhop of Dunkeld to paſs in viſitation of his Diocie incontinent after the diſſolving of this Aſſembly, and execute the Act of Parliament againſt Papiſts, of what degree ſoever they be, and all other criminall perſons, according to the Acts of the General Aſſembly, and to report their diligence to the nixt Aſſembly.

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The brethren appointed for anſwering to queſtions, reported the ſame and their anſwers as followeth.

Q. Ubique, Where the Nobility offends in ſuch crimes as deſerve execution of diſcipline in ſackcloath, the Nobility will not receive it; men of poor eſtate for the moſt part contemn it: What remeed ſhall be found. C.] A. Great men offending in ſick crymes as deſerves ſackcloath, they ſould receive the ſamein als weill as the poore.

[Q. Whither if a Superintendent or Commiſſioner, with advice of any particular Kirk of their Juriſdiction, may diſpenſe with the extremity of ſackcloath preſcrived be the Acts of the Generall Diſcipline, and that for a pecuniall pain ad pios uſus. C.] A. Na Superintendent nor Commiſſioner, with advyſe of any particular Kirk of thair Juriſdictioun, may diſpence with the extremitie of ſackcloth preſcryvit be the Acts of the Generall Diſcipline, for any pecuniall ſowme or paine ad pios uſus.

[Q. Why is order taken, That for no cauſe, how juſt ſo ever, no particular Kirk may excommunicate without the aſſent of the Biſhop, Superintendent and Commiſſioner. A. The Aſſembly perceiving ſome to have been excommunicate without the due order of law, for redreſs of this miſorder, hath thought it expedient, That the cauſe and order of the proceſs be ſighted be the Biſhop, Superintendent and Commiſſioner, before the ſentence be pronounced.

Q. Whither if the Aſſembly may lawfully impone pecuniall pains to the committers of drukenneſs, fornication, breach of the Sabbath, and ſuch like, or not. A. The Aſſembly ordains, That, anent fornication and the breach of the Sabbath, the Acts of Parliament be putt in execution: as for drukenneſs, They ſhould give admonitions, which being diſobeyed, they ſhall be repelled from the table of the Lord; yet Magiſtrates may inflict a pecuniall pain for the ſame, while order be tane in Parliament.

Q. May any Miniſter, with ſafe conſcience, admitt to the table of the Lord and other benefits of the Kirk, thoſe who in the late troubles opponed themſelves againſt the lawfull Authority, and ſuſtained the action of them who troubled the quiet ſtate of the common weale, and of the

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Kirk, who have not yet ſatiſfied the Kirk, nor admitted themſelves to the diſcipline thereof. A. They may not.

Q. What puniſhment ſhall the Miniſter incurr, that wittingly and willingly admits ſuch publick tranſgreſſors and ſlanderers of the word to the ſaids benefits, before any publick ſatiſfaction be made. A. Refers the puniſhment of the Miniſter that offends in this caſe to his Ordinar, according to the quality of the fault committed, and the place where he ſerveth.

Q. A man willing to dimitt his benefice ſimpliciter, In whoſe hands ſhall he dimitt it. C.] A. Ane man willing to demitt his benefice ſimpliciter, ſould demitt it in the hand of the juſt Patrone.

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A. D. M.D.LXXIII.

THE Generall Aſſembly begun and haldin at Edinburgh [in the Nether Tolbooth] the 6 day of March 1573: In the quhilk were preſent Earles, Lords, Barrones, Biſchops. [John Biſhop of Sanct Andrews, James Biſhop of Glaſgow, James Biſhop of Dunkeld, George Biſhop of Murrey, Robert Biſhop of Cathneſs.] Superintendents, Commiſſioners to plant Kirks, Commiſſioners of Provinces, Townes, Kirks, Univerſities, and Miniſters. Mr Andro Hay [Miniſter of Ranfrew, and Commiſſioner of Cliddiſdaill] was choſen Moderator.

Seſſio 1a.

[In the trial of Biſhops, Superintendents and Commiſſioners to plant kirks, John Archbiſhop of Sanct Andrews was delated, For not viſiting his province of Fife; for admitting a ſimple reader, Robert Douglaſs, to the Perſonage of Morvington, the profite whereof conſiſteth in thrids; That he was not only Biſhop, but Rector of the Univerſity, and Proveſt of the New Colledge; That he preached not in Sanct Andrews, where he made his reſidence; That he abſolved Mr Magnus Halcro, who was excommunicate in Orknay for adultery committed be him with Margrat Sinclair, ſometimes wife to James Tulloch. To the firſt he anſwered, That ſince the laſt Aſſembly he had been continually ſick, and ſo weak that he was not able to viſite his ſaid countrey, which excuſe was thought reaſonable. To the ſecond he anſwered, That he underſtood be relation,

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that the ſaids teinds of Morvington were ſo ſmall in value that ſcarce would they ſuſtain a reader; nottheleſs the Aſſembly ordained the ſaid Biſhop to reform his collation of the ſaid benefice, according to the laws already made anent perſonages. To the thrid, He alledged infirmity, and promiſed to preach in time coming according to his ability. To the fourth, alledged, That he abſolved the ſaid Mr Magnus be juſt proceſs led before him in Sanct Andrews. The Aſſembly ordained the Biſhop to produce the proceſs before them that day eight days. Anent the retaining of the Rectory and Proveſtry, he anſwered, He was content to dimitt the one and the other, how ſoon my Lord Regents Grace and Commiſſioners ſhall come to Sanct Andrews for viſiting of the Colledges.

James Biſhop of Dunkeld was accuſed for admitting one called Sir Walter Robeſone, to read in the kirk of Logyret, who, within 20 days thereafter, paſt with a dead corps to the kirk, having the Supercloath upon him in popiſh manner: Item, For admitting Michael Grey and John Drummond, two readers at the kirk of , who be their convention and troubles have raiſed a great ſlander againſt them and their offices: Thirdly, That he hath not execute the ſentence of excommunication againſt the Earle of Atholl and his wife, conforme to the Act of Parliament. The Aſſembly ordained him to take order with the forſaids readers, that, all ſlander being removed, no cauſe of complaint be found hereafter. And ſicklike with the ſaid Walter Robeſon, and try the forſaid alledgance touching the ſmelling of papiſtry. As for the overſight of the Earle of Athole and his wife, he confeſſed the ſame, and therefore was ordained to paſs to the Cathedrall kirk of Dunkeld, and there upon a Lords day in time of preaching confeſs his fault publickly for not executing of the forſaid ſentence; and farther, that thereafter within 40 days, the ſaid Earle, his wife and ſo many of his family as ſhall be found diſobedient, be excommunicate: The order of his excommunication, and indorſation thereof in authentick forme, to report to the Regents Grace, that order may be taken thereanent.

John Gray, Scribe to the Aſſembly, preſented a book containing a viſitation of the Diocie of Cathneſs, made be John Gray of Fordell, Commiſſioner of the ſaid countrey; and alſo read a letter ſent from him, wherein he deſired to be diſcharged of that office, both for the weight of the burthen, his age, and meaneſs of the ſtipend. The Aſſembly could not give ane anſwer preſently.

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For viſiting of the books of diligences, of Biſhops, Superintendents and Commiſſioners, were appointed the brethren underwritten, Mr James Greig, William Chriſteſone, Mr David Wemes, Thomas Duncanſon, John Duncanſon, Mr Roger Gordon, David Ferguſon, John Clapperton, Robert Monteith, James Anderſon, Mr Archibald Keith, to conveen in this houſe upon Monday at ſeven hours before noon, for overſeing of the ſaids books, and ſo continue from day to day, till the ſamine be perfectly overſighted, and what they find therein to report the ſame to the Aſſembly.

Seſſio 2a

George Biſhop of Murrey was accuſed of fornication committed be him with one called Scot, relict of Diſhington of Ardroſs: He anſwered, That, after admonition given him, he abſtained from all cohabitation with the ſaid woman. He was removed, and the brethren chiefly in Fife were inquired, Whither he had given juſt cauſe of ſlander before admonitions given to him. And entering again he was ordained to purge himſelf before the Aſſembly of the forſaid crime. He deſired time to adviſe with himſelf till the 10 day of this inſtant moneth, at what time he promiſed to give anſwer. And becauſe the members of the Chaptour of Murrey had admitted the ſaid George to the Biſhoprick of Murrey in giving their letters teſtimonials thereupon, without juſt trial and due examination of the ſaid George life, converſation, and qualification in literature, as appertained, wherethrough great ſlander is riſen; therefore the Aſſembly giveth commiſſion to John Areſkine of Dun, Knight, Superintendent of Angus and Mernes, Mr George Hay, Commiſſioner of Aberdeen, Mr Alexander Arbuthnet, Principall of the Colledge, Mr John Craig, Miniſter of New Aberdeen, That they direct their citation to ſummone the forſaid Chaptour of Murrey to compear before them, day and place as they ſhall appoint, for the cauſes above written; and what they happen to find in the ſaid matter, to report the ſame to the nixt Generall Aſſembly.

To viſie the heads and queſtions preſented to the Aſſembly be Alexander Hay, clerk of the Secret Counſell, ſent be my Lord Regents Grace, and for giving anſwer thereto, were appointed the brethren underwritten, Mr James Boyd, Biſhop of Glaſgow, John Areſkine of Dun, Knight, Super-

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intendent of Angus and Mernes, Mr John Winrame, Superintendent of Stratherne, Mr John Row, Mr James Lowſon, Mr Alexander Arbuthnet, Mr Robert Matlane, Dean of Aberdeen, Mr Patrick Adamſone, the Laird of Lundie, the Laird of Quhittinghame, the Laird of Elphinſton, the Laird of Barr, the Laird of Spott, the Laird of Kelwod, Alexander Udward, Commiſſioner of Aberdeen.

The Aſſembly ordains Mr George Hay, Commiſſioner of Aberdeen, to deliver ane juſt copy of his compts of collectory of Aberdeen and Banff of 1572 years, to Mr John Craig, Mr Alexander Arbuthnet, to the effect that the Miniſters of that countrey may underſtand what allowances are taken of their ſtipends of the ſaid year, every one for his own part; which ordinance the ſaid Mr George promiſed to fulfill.

The Aſſembly appointeth Mr John Spotſwood, Superintendent of Lothian, Mr Clement Littel, Advocate, Mr Robert Pont, Mr James Lowſon, Mr David Lindſay, Mr Alexander Arbuthnet, Mr Patrick Adamſon, or any four of them, to reviſe and conſider the reply made be John Duncanſone, Miniſter of the Kings houſe, againſt Mr James Tyries laſt book; and what the ſaid brethren find therein, to report again to the Aſſembly, to the effect it may be underſtood, Whither the ſaid reply may be committed to print or not: And in like manner, that the ſaids brethren or any four of them, peruſe and conſider a book preſented to the Aſſembly be the Earl of Glencarne, ſett out be a brother, and intituled, "Of Gods Providence," and to report their judgment thereanent to the effect forſaid.

Mr John Davidſone, a Regent of the Colledge of Sanct Leonards in Sanct Andrews, ... declared to the Aſſembly, how he had been ſummoned before the Counſell, and troubled a long time for a book, which was not unknowen to their Wiſdoms, and what was his mind, and the whole proceſs of it, and deſired them to examine it; and if they found it diſſonant from the word of God, condemn it; if conſonant to the truth, approve it, and that with expedition, becauſe his ſtaying was chargeable; and Noblemens ſons his ſcholars were defrauded by his abſence. . . . . Some informed the Moderator, that Mr John Rutherford had made ane anſwer to it. The Aſſembly thought good, it ſhould be preſented. He ſhifted ſaying, He could not produce his ineptias, and that he had written but one copy which the Regent had. . . . . .

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It was voted, Whither he ſhould be compelled under the pain of excommunication, to preſent his book, and was concluded as followeth.

Forſamekle as the Aſſembly underſtanding, that Mr John Rutherford, Proveſt of Sanct Salvators Colledge, hath publiſhed a book in writt againſt Mr John Davidſone his book; therefore it was inquired, Whither the ſaid Mr John ought and ſhould produce the ſaid book before the brethren of this Aſſembly. It was voted throughout, That he ought and ſhould produce the ſame, to be ſighted and conſidered be the brethren preſently conveened; and therefore ordained Mr Robert Hammilton, Miniſter of Sanct Andrews, Mr James Melvill, Miniſter of Arbrothe, to require the ſaid Mr John Rutherford, to exhibite the ſaid book before the Aſſembly the morne at nine hours: And, in the like manner, That the ſaid Mr John Davidſon preſent his book.

The Aſſembly ordaineth all Biſhops, Superintendents and Commiſſioners to plant kirks, to give in writt the morne afternoon, the names of all ſuch perſons as they know to be able within their dioceſe, to ſerve in the Miniſtry, that they may be planted and livings obtained to them accordingly.

For anſwer to the laſt article ſent to the Aſſembly be my Lord Regents Grace, anent the ſubſtantial cauſe, if any be, of miſlyking the order agreed upon for payment of Miniſters ſtipends, and aſſignation of the ſame, and what better order can be proponed and deviſed for the ſame: The Aſſembly appointed the brethren underwritten, to witt, James Biſhop of Glaſgow, John Areſkine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winrame, Superintendent of Stratherne, Mr Gilbert Foulſie, one of the Commiſſioners of Orknay, Mr Robert Pont, Mr James Lowſon, Mr John Row, Mr David Lindſay, Mr Alexander Arbuthnet, Mr George Hay, Mr Patrick Adamſon, Mr Rodger Gordoun, Richard Melvill, Miniſter of Gods word, the Laird of Lundie, the Laird of Braid, the Laird of Barr, the Laird of Carnall, Andrew Ker of Fadounſide, the Laird of Thorntone, David Lindſay, Lyon Herald, John Adamſone, one of the Commiſſioners of Edenburgh, the Commendator of Deir, Mr John Young, Miniſter at Irving, and William Hume of Hutton, to conveen the morne at eight hours before noon in Mr James Lowſons chamber, and conſider the forſaid article, and pen ane anſwer thereto, and report the ſame again to the Aſſembly.

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Seſſio 3ª

Anent the appellation interponed be George Cleppan of Corſlogie, from the ſentence of excommunication pronounced againſt him be the Biſhop of Sanct Andrews, for cauſes contained in the ſaid appellation: The Aſſembly ordaineth the ſaid Biſhop, with advice of ſo many of his Miniſters as he ſhall think meet to aſſume to him, to receive the ſaid George to the boſome of the Kirk, abſolve him from the ſaid ſentence, if he will unfainedly require the ſame according to the order, and thereafter receive his purgation of the crime laid to his charge be his own oath; admoniſhing him to adhere to his own wife in time coming, under the pain of incurring the ſaid ſentence of, &c. C.]

The Kirk ordaines all Commiſſioners of townes and provinces, That they ſearch and ſeik out the haill rentalls of the Hospitalls within thair bounds reſpectiué, and give the ſame in to thair Biſhops, Superintendents and Commiſſioners, ſhawand how the ſame are vſit or abuſit, to the effect that my Lord Chancellour may reſeave the ſame, to report to my Lord Regents Grace; and this to be done, betuixt and the tent day of Apryle nixt to come.

[Anent the Commiſſion given in the laſt Aſſembly to the Laird of Dun and certain other brethren with him, to conferr and conclude with my Lord Regents Grace and Secret Counſell: The ſaid Laird of Dun and brethren forſaid gave up their ſaid commiſſion, and protеſted, That nothing ſhould be imputed to them, or laid to their charge, as done and concluded be them with my Lord Regents Grace, that might prejudge the brethren or the Aſſembly.

Mr John Davidſone, Regent in Sanct Leonards Colledge, conform to the command of the Aſſembly, willingly preſented his book in writt, to be ſighted and conſidered be the brethren appointed thereto, and alledged, that the ſame was printed without his advice and command; alwiſe ſubmitteth himſelf and his book to the judgment of this preſent Aſſembly.

The Aſſembly appointed Mr James Lowſon, Mr David Lindſay, the Laird of Barganie, the Laird of Thornton, the Commiſſioners of Edenburgh and Sanct Johnſton, to preſent a Supplication to my Lord Regents Grace this day at two afternoon, and to report his Graces anſwer to the Aſſembly: The tenor of the Supplication followeth. C.]

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Unto the Lord Regents Grace [and Lords] of Privie Counſell, with vthers of the Eſtates conveinit with his Grace, the Kirk Generall now aſſemblit wiſches everlaſting health in Chryſt.

It is not unknowin that holie myſterie of God that hes choſin to himſelfe a Kirk, and that from the beginning, and ſall continue for evir; and that is the congregatioun and companie of the faithful profeſſours of Chryſt: And in his Kirk God hes appointit his holie myſteries to be miniſtrat, and calls men to be miniſters of the ſame, that be the ſamein miniſtrie the elect of God may be callit, regenerate and nouriſhit to the everlaſting lyfe. For preſervatioun of the holie Miniſtrie and Kirk in puritie, the Lord hes appointit Aſſemblies and Conventiouns, not only of the perſons of the Miniſtrie, but alſo of the haill members of the Kirk profeſſing Chryſt: The quhilk Kirk of God hes continuallie vſit, and vſes the ſame Aſſemblies, ſanctified be the word of God, and authorized be the preſence of Jeſus Chryſt. It is alſo knowin vnto zour Grace, that ſen the tyme God bleſſed this countrey with the light of the Evangell, the haill Kirk maiſt godlie appointit, and the ſame be Act of Parliament authorized, that twa godlie Aſſemblies of the haill General Kirk of this realme, ſould be ever ilk zeir, aſweill of all members therof in all Eſtates as of the Miniſters: The whilk Aſſemblies hes bein ſen the firſt ordinance, continually keipit in ſick ſort, that the moſt noble ther of the hieſt Eſtate, hes joynit themſelves, be their awin preſence in the Aſſemblies, as members of ane body, concurreand, voteand and authorizand in all things their proceiding with their brether. And now, at this preſent, the Kirk is aſſemblit according to the Godlie Ordinance, and lookes to have concurrence of thair brethren in all Eſtates, and wiſches of God, that your Grace and Lords of Privie Counſell will authorize the Kirk in this preſent Aſſemblie, be zour preſence, or be vthers haveand zour commiſſion in zour Grace and Lordſhips names, as members of the Kirk of God; for as your Graces preſence and the Nobilities ſould be vnto us moſt comfortable, and ſo moſt earneſtlie wiſched of all, ſo your Graces abſence is to us moſt dolorous and lamentabill; wherof followes the want of ane great part of the members, that weill cannot be abſent from the treating of theſe things that appertaines to the Kirk and policie thereof, in Aſſemblie altogether, to be handlit be the advyſe of all, and to the whilk end the Aſſemblies are ap-

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pointit; the authoritie quherof zour Grace knowes to be ſick as the contempt of it tends to the verie diſhonour of God; and therfor as ze eſteime zour ſelves to be members of Chryſt and of his Kirk, ſhew the fruits therof; of the quhilk it is not the leaſt to joyne zour ſelves to the Kirk, not only be hearing the word, and receiving the ſacraments, bot alſo in conveining with zour brether in the holie Aſſemblies: The quhilk to doe we give zou admonition in the name of the Lord; extending this our admonition to every perſon, of quhatſoevir Eſtate, that are preſent with zour Grace and Lordſhips; and ſpecially we admoniſch the Biſchops and ſick as are of the Miniſtrie, to joyne themſelves with vs, according to their miniſtrie and duetie; vtherwayes they will be thoght vnworthie of the office they beare. The tyme that the kirk will ſitt will be ſhort, and tyme wald not be neglectit; and yet the kirk is not ſo rigorous, bot that men may, after thair preſence givin in the Aſſemblie, have libertie, as tyme requyres, to waite vpon thair laufull buſſines: And this admonition we give zour Grace with all reverence and humilitie; and that chieflie in reſpect zour Grace, be zour awin articles and queſtions ſent to the Kirk, deſyres firſt to be admoniſhit charitablie, quhenſoevir offences ariſes, befor the ſame be vtherwayes traduceit.

[Anent queſtions, complaints, bills and requeſts which could not be reſolved and anſwered unto in the Synodall Conventions of provinces: The Aſſembly appointed Mr Robert Hammilton, Miniſter of Sanct Andrews, Mr John Young, Mr James Balfour, Mr David Cunninghame, Mr David Wemes, Mr James Carmichael, Mr John Davidſone, Mr Andrew Simpſon, to read and conſider the ſaids queſtions, bills and complaints, and give anſwer thereunto, and report the ſame to the Aſſembly again. C.]

[The Aſſembly appoints James Biſhop of Glaſgow, the Superintendent of Angus and Mernes, Mr John Winrame, Superintendent of Stratherne, Mr Robert Pont, one of the Lords of the Seſſion, and preacher of Gods word, Mr John Row, Miniſter of Perth, Mr Robert Matlane, Dean of Aberdeen, Mr Alexander Arbuthnet, Principall of Aberdeen, and John Duncanſone, Miniſter to the Kings houſe, That they conveen the morne about 6 hours in the morning, in Mr James Lowſons houſe, to pen the heids and articles concerning the juriſdictioun of the Kirk, and thereafter to preſent the ſamein to the Aſſemblie, to the effect that reſolution may be had thereof at my Lord Regent Graces hand. C. & B.]

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Anent the jurisdiction of Bishops in thair ecclesiasticall functioun: The Kirk presentlie assemblit hes concludit, That the same sall not exceid the jurisdictioun of Superintendents, quhilk heirtofoir they have had and presentlie hes; and that they salbe subiect to the discipline of the Generall Assemblie as members therof, as the Superintendents hes bein heirtofor in all sorts.

That no Superintendents nor Commissioners for planting kirks, have nor sall give collatioun of benefices, nor admitt Ministers, without the assistance of thrie of thair qualified Ministers of thair province, quho also sall give thair testimonialls to the saids Superintendents or Commissioners, subscryvit with thair hands, in signe of thair consent therto: And, in lyke manner, That no Bishop give collatioun of any benefice within the bounds of Superintendents within his dyocie, without thair consent, and testimonialls subscryvit with thair hands: And, that Bischopes within thair awin dyocies, visite be themselves, quher no Superintendents are; and give no collatioun ordinar vpon benefices, without consent of thrie weill qualified Ministers, as said is, of Superintendents and Commissioners to plant kirkis.

Sessio 4a.

[The Assembly ordaineth the Bishop of Glasgow, to take order with John Hammilton, son to unquhill Sir William Hammilton, and to give him injunctions for satisfieng of the Kirk of Mauchlin. His complices, John Dunbar, Hugh Farquhar, Patrick Hammilton of Linnerhaugh, William Dumbar, parochiner of Tarbolton, David Blair, parochiner of Munckton, and Patrick Reid, being often called and not compearing, the Assembly ordained the said Bishop of Glasgow, To direct his precepts to the Ministers or Readers of the kirks where the forsaids persons dwell, to admonish them and every one of them respectivé in their own paroich kirk, to satiffy the kirk of Mauchlin for the offence done to the said kirk, under the pain of excommunication; and in case of disobedience of the saids persons, or any of them, that he give commandment to the saids Ministers or readers where the saids disobedients dwell, to pronounce the sentence of excommunication against them, according to the order appointed in the Book of Excommunication. C.]

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Seſſio 5ª

[The Aſſembly preſently conveened, in one voice and mind, giveth full power and commiſſion to their loving brethren, John Areſkine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winrame, Superintendent of Stratherne, Mr Robert Pont, one of the Senators of our Soveraign Lords Colledge of Juſtice, and Miniſter of Gods word, Mr John Row, Mr George Hay, Mr David Lindſay, Commiſſioners of Galloway, Kile, Carict and Cunninghame reſpectivé, Mr James Lowſone, Miniſter of Edenburgh, John Duncanſone, Miniſter of the Kings Majeſties houſe, to conveine with my Lord Regents Grace and Lords of Secreit Counſell, to conferre and reaſon vpon the heids concerning the juriſdictioun and policie of the Kirk, and ſick vther heids and articles as ſalbe proponit be his Grace and Counſell to them; and upon the heads, articles and requeſts, which are to be proponed to his Grace and Counſell, in name of the Aſſembly preſently conveened, and concerning all and ſundry other things tending to the ſetting fordward of the glory of the eternall God, maintaining the preaching of his word, the Kings Majeſtys authority, and common wealth of this realme: firm and ſtable, &c. C. & B.]

[Forſamikle as George Biſhop of Murrey was ordained to have compeared before this Aſſembly the 10 day of this inſtant, to have given his purgation of the ſlander given be him of fornication, alledged committed with the Lady Ardroſſe, and hath not yet compeared; therefore the Aſſembly ordains James Biſhop of Dunkeld to warn the ſaid George, to compear the 12 day of this inſtant moneth at 10 hours before noone, to make his purgation, according to the ordinance appointed to him the 8 day of this moneth.

The Aſſembly ordaineth the Biſhop of Glaſgow to take order with John Carmichael, Captain of Crauford, now ſubmitting himſelf to the diſcipline of the Kirk for adultery committed be him, and to receive him to publick repentance, according to the Acts of the Generall Aſſembly heretofore made againſt the committers of ſuch crimes.

Seſſio 6ª

The brethren appointed to reaſon upon the Commiſſioners and their

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commiſſion, that are to paſs to the Regents Grace and Secret Counſell, do declare that their opinion was and is, That they ſhould paſs the morne at time appointed to the Regents Grace and Counſell with their commiſſion: and if they were refuſed to reaſon as Commiſſioners of the Aſſembly, then and in that caſe they ſhould return again to the Aſſembly with their commiſſion, and report their refuſal, to the effect the Aſſembly may take order thereanent. This their opinion being read, was approved be the whole Aſſembly.

Anent the Aſſemblies anſwer, touching the head of allowing of the order of aſſignation of Miniſters ſtipends, &c.: The Aſſembly appointed Mr George Hay, Commiſſioner of Aberdeen, and Mr Alexander Arbuthnet, Principall of the Colledge, to preſent the ſaid anſwer to my Lord Regents Grace, and to report his Graces anſwer again thereanent. C.]

Seſſio 7ª

As concerning the appointing of ſundrie kirks to one Miniſter: To the end the matter may be plainer, and the mynd of the Kirk knawin to all men herein, the Kirk hes declarit, That howbeit ſundrie kirks be appointit to ane man; yet ſall the Miniſter make his reſidence at ane kirk, quhilk ſalbe properlie appointit to his charge, and he ſalbe callit principallie the Miniſter of that kirk; and as concerning the reſt of the kirks to the quhilks he is nominat, he ſall have the overſight thereof, and help them, in ſick ſort as the Biſhop, Superintendent and Commiſſioner ſhall think expedient, and as occaſſion ſall ſerve from his awin principall charge, the quhilk he in no wayes may neglect: And this ordour only to remaine quhill God of his mercie ſall thruſt out more labourers vnto his harveſt.

[John Areſkine of Dun, Knight, Superintendent of Angus and Mernes, for certain cauſes moving him, purely and ſimpliciter demitted his office of Superintendentry in the hands of the Aſſembly preſently conveened, deſiring them to provide for another in that room, that the country be not deſtitute of ane overſeer; not the leſs promiſing to doe that thing which lyeth in his power for the comfort of the Kirk.

In like manner, Mr John Spotſwood, Superintendent of Lothian, demitted his office in the hands of the Aſſembly, deſired them to provide for another in his room, that the countries whereof he had the overſight, be

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not deſtitute of a viſiter; deſiring alſo the Aſſembly to be mindfull of his pains and travells tane be him theſe 14 years bygane, in overſeeing and viſieng of the kirks from Stirling to Berwick, and labour in ſuch ſort, that he may be payed of his appointed ſtipend, yearly not yet paid, either be payment of the ſame whole together, or, at the leaſt, that ſuch a portion yearly be paid to him, ay and while the ſaid ſtipend be compleatly payed. The Aſſembly promiſed to travell with my Lord Regents Grace for performing of the ſaid reaſonable requeſt, as occaſion might ſerve.

Mr John Winrame, Superintendent of Stratherne, demitted purely and ſimpliciter his office in the hands of the Aſſembly.

Forſamikle as the Diocy of Glaſgow is of great and large bounds, ſo that impoſſible it is that the Biſhop thereof may viſite the ſame: In reſpect whereof, the Aſſembly thinks good, That there be two Commiſſioners appointed to ſupport the viſiting of the ſaid diocy, to plant kirks therein. The naming of them, and their bounds where they ſhall travell, and their ſtipends for their travell was deferred; but to be done before the diſſolving of this Aſſembly.

Mr Robert Pont, Commiſſioner of Murrey, in reſpect that George Douglas, Biſhop of Murrey, is admitted Biſhop of Murrey, purely and ſimpliciter demitted his office of Commiſſionarie.

The Aſſembly ordaineth Alexander Sibbald, Commiſſioner for Sanct Andrews, to warn Mr John Rutherford to produce his book before the brethren, appointed to reviſe the ſamine, upon Sunday at four hours afternoon, in the Miniſter of Edenburghs chamber. Incontinent Mr John perſonally compeared, and proteſted as follows: Forſamikle as I Mr John Rutherford is required be the Aſſembly to communicate a certain book, which I have written, albeit not of purpoſe to ſett forth the ſamine, without the advice of them to whom it appertaineth, to certain brethren, I proteſt it prejudge not the juriſdiction of the Rector, nor be prejudiciall to me in any ſort, ſeing it is but a free conference; and the Rector be immediate Judge, is one of the perſons with whom I am willing to communicate the ſame; and alledges my book to be imperfect, therefore ſhould not produce it, nor will not produce it, till I ſpeak and adviſe with my immediate Judge Ordinar, the Rector of Sanct Andrews, &c. And thereafter he departed incontinent out of the Aſſembly. Notwithſtanding the forſaid proteſtation, the Aſſembly ordained Mr Robert Hammilton, and Mr James Melvill, Miniſters, To warn the ſaid Mr John to produce

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his book before the forſaid brethren, on Munday at 8 hours before noon, in the Miniſters chamber, to be tryed and fighted there, under the pain of diſobedience to the Aſſembly.

The Commiſſioners appointed to try Mr John Davidſons book, were the Laird of Dun, the Biſhop of Sanct Andrews, againſt whom Mr John excepted, but was not heard, Mr Robert Pont, the Dean of Aberdeen, Mr James Lowſon, Mr George Hay, Mr Alexander Arbuthnet.

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A. D. M.D.LXXIV.

THE Generall Aſſembly haldin and begun [in the upper Tolbooth] at Edinburgh the 7 day of Auguſt 1574: In the quhilk were preſent Barronis, Biſchops, Superintendents and Commiſſioners to plant Kirks, Commiſſioners of Provinces, Townes, Kirks, Univerſities, and Miniſters. Johne Dunkanſone, Moderatour.

Seſſio 1a

The Aſſemblie vnderſtanding that be the deceis of Johne Gray thair late clerk, the ſaid office of clarkſhip is vakand, and none as 3et is provydit therto; and therefor befor any proceiding, that it is neceſſar the ſaid rowme be filled, hes appointed thir brethren vnderwriten, viz. my Lord Deane of Aberdeine, Andro Hay, James Lowſone, Alexander Arbuthnet, Principall of the Colledge of Aberdein, James Melvill, Clement Litle, and David Lindeſay, Miniſter of Leith, (all Maſters) to appoint the leits of them, of whoſe number the clerk is to be choſin. Quhilk brethren all in ane voyce nominat Mr James Ritchie, George Mackyſone, William Paterſone, Wryter, Patrick Fylder, ſervant to Alexander Hay, clerk of the Secreit Counſell, to be the leits, of quhilk number the clerk of the ſaid Aſſemblie is to be electit; and in the meane tyme, quhill the ſaid clerk be choſin and receivit, the ſaid Aſſemblie hes ordainit Mr Andro Mylne to ſupplie the place.

[In the trial of Biſhops, Superintendents and Commiſſioners: The

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Biſhop of Glaſgow granted he had not exactly done his duty, alledging the cauſe thereof to have been his occupation in temporall affairs of the Biſhoprick, and hearing Miniſters preach at their own kirks; and promiſed amendment in time coming.

The Biſhop of Dunkeld was complained upon, For not viſiting of the kirks of Lothian which belonged to his diocy: Secondly, That he had taine no order with the reader of Abernethie, for his reſidence, nor for ſatiſfaction of the ſlander given by him: Thirdly, For uſing Simonicall paction with unquhill Archibald Earle of Argile. To the firſt he anſwered, He had not opportunity to viſite the kirks of Lothian: As for the ſecond, He promiſed to take order with the ſaid reader: To the thrid he anſwered, That my Lord Argile compelled him to give certain penſions forth of the Biſhoprick, which he hath revocked ſenſyne: As for not excommunicating the Earle of Atholl, as he was enjoined in the laſt Aſſembly, could alledge no lawfull excuſe.

The Superintendent of Lothian was not complained upon, howbeit he did not viſite the whole kirks, ſeing his viſitation was free, and upon his own charges.

For viſitation of the kirks, of diligences of the Biſhops, Superintendents and Commiſſioners of provinces, and of the queſtions and ſupplications to be given into this preſent Aſſemblie, were appointed the brethren underwritten, to wit, John Porterfield, Mr Adam Johnſton, Mr James Melvill, Peter Watſon, John Dykes, Mr Robert Wilkie, William Chriſteſon, Mr George Mackeſon, to aſſemble every day before noon ane hour, and ane hour after noon, while the books be peruſed, the bills, ſupplications and queſtions anſwered; and what they doe herein, to report to this preſent Aſſembly.

Seſſio 2a.

The tenor of the examination of Mr John Keith, Dean of the Chapter of Murrey, and Mr Andrew Simpſon.

Mr John Keith, Perſon of Duffus, and Dean of the Chapter of Murrey, being accuſed, Why he being ſummoned with the Chapter of Murrey to compear in Aberdeen before certain Commiſſioners appointed be the General Aſſembly the 26 day of May, to try of the Biſhop of Murrey his

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admiſſion, ſtayed not the time of triall of their proceſs, according as he and they were commanded: Anſwered, That at their coming to Aberdeen to the paroich kirk before the ſaid Commiſſioners, the Commiſſioners began to intreat certain particular matters, concerning the ſtate of the kirk there, and preferred not their cauſe and the triall of their proceſs to any other purpoſe. The Commiſſioners anſwered, That their untimeous coming cauſed them to enter into another cauſe; and when they deſired them to ſtay till afternoon and the morning of the nixt day, they departed nevertheleſs upon the 27 day, without giving any advertiſement unto them. The ſaid Mr John being required, Whither, in conſcience, he knew the approbation and witneſs given to the Biſhop of Murrey his life, doctrine and good behaviour was true, as was written in the proceſs, and of what aſſured knowledge they gave it: He anſwered, That the teſtimony of his converſation was only be report and brute as he heard, and not otherwiſe; whereupon they proceeded to that witneſs given. Being demanded, Whither theſe that ſubſcribed his admiſſion were altogether preſent, and heard his triell of doctrine and converſation: Anſwered, That the triell continued three days, but all were not preſent the ſaid three days together at the triell of his doctrine; but the laſt day when they ſubſcrived, all were preſent, except Alexander Wincheſter. Mr Andrew Simpſon, Miniſter in Forreſs, one of the ſaid Chapter, anſwered to the Second article, touching the cauſe of their teſtification of his willing mind, and uprightneſs to enter in the Biſhoprick, That that which they did was upon his own confeſſion, who teſtified as they wrote his ſute to be, and becauſe he alledged he knew him at all times to be of ſincere religion: To the Third he anſwered, That upon Sunday the 20 of December, the firſt of the three days, the whole Chapter was preſent, except Mr Alexander Gordon, Chanceller of Murrey, Donald Dow and Alexander Wincheſter. And upon the third day of examination, which was the 22 of December, All were preſent, except Donald Dow and Alexander Wincheſter; and theſe that were preſent ſubſcrived together.

Mr George Hay, Mr Alexander Arbuthnet, and Mr John Craig, Miniſter of Aberdeen, produced the proceſs exhibite be the Dean and Chapter of Murrey the 26 of May 1574, concerning the admiſſion of the Biſhop of Murrey to the ſaid Biſhoprick, together with their animadverſions upon the ſaid proceſs, which they deſired to be regiſtered in the books of the Aſſembly. The Aſſembly appointed Mr John Keith and Mr Andrew

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Simpſon and the reſt of the Chapter to anſwer thereto the nixt Munday, at nyne hours before noon. C.]

Seſſio 3ª

Anent the creatioun of ane Clerk of the ſaid Generall Aſſemblie of the Kirk: It was vottit through the ſaid haill Aſſemblie, and concludit, That of the foure perſons appointit on the leits, Mr James Ritchie, be reaſon the greateſt part thereof gave thair conſent to him, ſould be clerk; quho, in preſence of the whole Aſſemblie, ſolemnlie beand ſworne to vſe the ſaid office of clerkſhip of the Kirk faithfullie, made promiſe to doe the ſame, and acceptit the ſaid office vpon him.

[The Aſſembly ordaineth Mr Andrew Hay to proceed to deprivation, conform to the order, againſt John Anderſon, becauſe he had not keeped the Synodall Aſſembly theſe ſeven years bygane.

The Aſſembly ordaineth, That humiliation and obedience being made be Tod in Glenquhome, he be admitted again to reading, and adminiſtration as before. C.]

Forſameikle as it is vnderſtand to the ſaid Aſſemblie, That diuerſe Miniſters within this realme vſes the office of Collectourie and Chamerlainrie vnder Biſchops and vthers beneficit perſons, quherthrow they are avocat from thair cures, and gives great occaſion to ſlander the Kirk: Therfor it is ſtatute and ordained in this preſent Aſſemblie, That fra this tyme furth no Miniſter vſe and exerce the ſaid office of Chamberlainrie or Collectourie vnder whatſomever beneficit men, quherby they may be abſtractit fra thair vocation; and contraveiners therof to be depryvit of thair office, and to be ſecludit therfra.

Seſſio 4ª

[Anent the ſupplication given in be Mr John Spotſwood, Superintendent of Lothian, dimitting in the hands of the Aſſembly his office of Superintendentry, as well be reaſon of his age, now being unable to undertake the unportable travells committed to him in his office, as be reaſon that ſince his acceptation thereof, for the ſpace of two years he received no ſtipend;

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therefore deſiring ſome zealous able perſon to take the ſaid cure upon him, that the Kirk be not deſtitute in thir perillous times: The Generall Aſſembly having conſidered the ſaid ſupplication, ſeing the preſent neceſſity and ſtate of time in danger, and appearand perrill effectually to ſucceed, in caſe the ſaid dimiſſion were received, brotherly requeſted the ſaid Superintendent, in the name of God, to continue in his office till the nixt Aſſembly, uſing ſuch diligence therein, as he may reaſonably without hurt or damage to his perſon: and for aſſiſtance and aiding of him in his travells, the Aſſembly hath appointed Mr David Lindſay, Miniſter of Leith, or ſuch two as he ſhall require within his bounds, who have promiſed to concurr with him; and in the mean time the Aſſembly ſhall procure at my Lord Regents Grace, proviſion to be made to him, and others of the like vocation and charge within the Kirk, for their ſtipend.

At the diet appointed Mr John Keith and Mr Andrew Simpſon, for the Dean and Chapter of Murrey, to give in their replyes to the animadverſions produced be Mr Alexander Arbuthnet, Principall of the Colledge of Aberdeen, and his collegues, againſt the proceſs uſed be the ſaid Dean and Chapter in admitting of the ſaid Biſhop of Murrey to the Biſhoprick, conform to the laſt act of the Aſſembly in this caſe; the ſaid Mr Alexander and Mr George Hay, one of his collegues, being perſonally preſent, compeared the ſaid Mr Andrew and Mr John Keith, and produced their replyes in writt. The Aſſembly continued their deliverance and anſwer in the ſaid matter till the afternoon.

Seſſio 5ª

Anent the deliverance and determination of the General Aſſembly upon the impugnations given in be Mr George Hay, Commiſſioner of Aberdeen, and his collegues, againſt the proceſs uſed be the Dean and Chapter of Murrey, in election and admiſſion of the Biſhop of Murrey to the ſaid Biſhoprick, produced by Mr Andrew Simpſon and Mr John Keith, and upon the replyes given in be the ſaid Mr John and Mr Andrew, for the part of the ſaid Dean and Chapter; the ſaid Mr George and Mr Alexander Arbuthnet, one of his collegues, being preſent, and the ſaid Mr Andrew and Mr John likewiſe being perſonally preſent: the ſaid Aſſembly continued

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the pronouncing of the deliverance and determination of the ſaid matter to the tenth of this inſtant.

Seſſio 6ª.

The Aſſembly hath concluded commiſſion to be given to their loved brother John Areſkine of Dun, Superintendent of Angus, Mr George Hay, Commiſſioner of Aberdeen, Mr Alexander Arbuthnet, Principall of the Colledge of Aberdeen, Mr John Craig, Miniſter there, Robert Fairlie of Braid, John Heriot of Trabroun, or any three of them, to treat with my Lord Regents Grace, upon the heads and articles concluded in this Aſſembly to be preſented be them to his Grace, for reſolution and anſwer to be had thereupon, conform to the commiſſion granted to them thereupon; whereof, with the tenor of the ſaids articles, the contents after follow; and ordaineth a ſupplication to be direct to his Grace for his Graces anſwer upon the ſaids articles.

The tenor of the Commiſſion given to the Commiſſioners of the Kirk, for preſenting the Articles to my Lord Regents Grace.

At Edenburgh the tenth day of Auguſt 1574, the Generall Aſſembly of the Kirk of Scotland, conveened preſently within the ſame burgh for intreating of ſuch things as concern the glory of God and weal of the ſaid Kirk, underſtanding be diverſe complaints proponed to them, the iniquity that univerſally abounds throughout this countrey; as alſo having putt in conſultation diverſe heads moſt neceſſar and godly, for the weal of the Kirk of God, and eſtabliſhing of the Evangell, wherein my Lord Regents Graces good aſſiſtance and help would be earneſtly craved; Has given, granted and committed, and be the tenor hereof gives, grants and committs to their loved brethren, John Areſkine of Dun, Superintendent of Angus, Mr George Hay, Commiſſioner of Aberdeen, Mr Alexander Arbuthnet, Principall of the Colledge thereof, Mr John Craig, Miniſter there, Robert Fairlie of Braid, John Heriot of Trabroun, or to any three of them, their full, free and plain power to paſs to my Lord Regents Grace, and to preſent to his Grace humbly the ſaids heads and articles, which the ſaid Aſſembly hath putt in writt, direct with them to his Grace

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to reaſon and confer thereupon; and to require his Graces anſwer upon the ſaids articles, to be reported again be them to their nixt Aſſembly: firm and ſtable holding and for to hold whatſomever the ſaids Commiſſioners, or any three of them, in the premiſſes, to the glory of God and his Kirk righteouſly leads to be done. C.]

[The tenor of the Articles of the Generall Aſſembly of the Kirk of Scotland, to be proponed to my Lord Regents Grace be the Commiſſioners of the Kirk. C. & B.]

In the firſt, That ſtipends be grantit to Superintendents in all countreys deſtitute thereof, whither it be quher ther is no Biſchops, or quher ther is Biſchops and may not diſcharge thair cure, as the Biſchops of Sanct Androes and Glaſgow.

Item, That in all burrowſtouns, quher the Miniſters therof are diſplacit and ſerves in vther kirks, that thair Miniſters quho ſervit them of befor, be reſtoreit againe to awaite on thair cures, and they be not obleiſt to any vther kirk; or els that vthers be placit in the ſaids townes.

Item, That his Grace will give commiſſion to certaine gentlemen in every countrey, that inceſt, adulterie, witchcraft and ſick odious crymes, quherwith the countrey is repleniſhit, may be puniſhit.

Item, That in every kirk deſtitute of Miniſters, ſick perſons as are preſent and readie to be plantit, be placit, and ſtipends grantit vnto them; whoſe names ſalbe given vp be the Biſchops, Superintendents and Commiſſioners.

Item, In reſpect that in the eccleſiaſticall functioun ther is two only diſtinct offices of teaching, the Doctour that interpretes the Scriptures, and the Miniſter to preach and apply the ſame: That his Grace will take ordour, that Doctours may be placit in Univerſities, and ſtipends grantit vnto them; querby not only they quho are preſentlie placit, may have occaſion to be diligent in thair cure, but alſo vther learned men may have occaſion to ſeik places in Colledges within this realme.

[Item, That his Grace will take ordour with the Miniſters, to whom there was reſtand awand of the Collectors of the years bygane, certain reſts that may be paid.

Item, That the ſaids Commiſſioners travell with his Grace for Mr John Davidſon, anent his kirk. C.]

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Item, That his Grace will take ane general ordour with the pure, eſpecially in the Abbayis, ſick as Aberbrothock and vthers, conforme to the Act made at Leith; and in ſpeciall to diſcharge teind ſybowis, leiks, keale, ongoons, be ane act of the Secreit Counſell, quhill ane Parliament be conveinit, that they may be ſimpliciter diſchargit.

Item, That his Grace will grant commiſſion to certaine perſons in every dyocie to ſitt in cauſes of divorcement, quher the parties are poore.

[Item, Becauſe there are ſundry Biſhopricks vacand, ſuch as Dumblaine, Roſſe and others, That his Grace wald take order that ſome qualified perſons be provided thereto with diligence. C. & B.]

[Item, Becauſe there are diverſe Miniſters, whoſe cures are augmented and ſtipends diminiſhed, That his Grace take order therewith. C.]

Item, That his Grace wald cauſe the books of the Aſſignatioun of the Kirk be delyverit to the Clerk of the Generall Aſſemblie.

[Item, Forſamikle as there is diverſe books ſett out be Jeſuits and other hereticks and erroneous authors, containing manifeſt contumelies and blaſphemies againſt God, and his revealed truth, and yet are dayly inbrought in this countrey be Poles, crammers and others, to the heavy offence of the Kirk of God, That his Grace will provide remeed.

Item, It is underſtand to the Generall Aſſembly be credible report of certaine learned men lately arrived within this countrey, that a French printer of the beſt renowned this day, nixt Henricus Stephanus, being baniſhed with his wife and family from his countrey, hath offered unto them to come in Scotland, and to bring with him three thouſand franks worth of books, anſl to print whatſoever work he ſhould be commanded; in ſo much that there ſhould not be a book printed in French or Almain, but once in the year it ſhould be gotten of him, if he might have ſure proviſion of a yearly penſion of three hundreth merk; which indeed is ane offer ſo comfortable to the countrey and Kirk, that it ought not to be overſeen: That his Grace will conſider the ſame offer, and take order therewith.

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The form of the Supplication direct to my Lord Regents Grace be the Aſſembly, with the Articles.

The General Aſſembly of the Kirk of Scotland, conveened at Edenburgh the 7 day of Auguſt 1574, to my Lord Regents Grace wiſheth perpetuall proſperity, and increaſe of the Holy Spirit.

It will pleaſe your Grace: In this our late Aſſembly diverſe great enormities and faults being found univerſally through the countrey, proponed for amendement thereof, and whereof very neceſſity craveth to have had correction; as alſo ſundry other heads being putt in this conſultation, very neceſſar and profitable for the advancement of the Kirk of God within this realme: moſt neceſſar it was thought of all, that your Graces help and aſſiſtance ſhould be ſought and implored thereunto, that the wrath of God, which preſently hangeth over this realme be reaſon of the ſame enormities, may be taken away; and therefore we have direct commiſſion to our beloved brethren, John Areſkine of Dun, Mr George Hay, Commiſſioner of Aberdeen, Mr Alexander Arbuthnet, Principall of the Colledge thereof, Mr John Craig, Miniſter thereof, Robert Fairlie of Braid, John Heriot of Trabroun, or to any three of them, with certain articles to be preſented to your Grace for reformation of ſuch things as are contained in the ſame; whereof we doubt not, ſeing the ſamine are both godly and honeſt, and for the weal of the Kirk of God, which we doubt not but your Lordſhip tenders, but your Grace will give a reaſonable and godly anſwer thereto; ſeing your Grace is and ſhould be the father of the Kirk and common weal, which we recommended to your Grace, praying God to preſerve the ſame in good eſtate, to the comfort of his Kirk, and the common weal of this realme. From Edenburgh the eleventh of Auguſt 1574.

Your Graces moſt humble Subject, Mr James Ritchie, Clerk of the General Aſſembly, at the commandment thereof.

Seſſio 7a.

For reading and anſwering to the ſupplications and complaints given

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to the Aſſembly, this preſent Aſſembly nominates and appoints their brethren, Mr David Cunninghame, Mr James Carmichael, Miniſter of Hadinton, William Sanderſon, Miniſter at Whittinghame, Alexander Foſter, Miniſter at Tranent. C.]

Forſamikle as it is vnderſtand to the General Aſſemblie of the Kirk, that ther is diverſe perſons quho, in their wyfes tyme, committs adulterie with vther mens wyves, and therafter, after thair wyves deceiſe, maries them quhom they have polluted in adulterie: Therfor it is ſtatute and ordanit be this preſent Aſſembly, That Biſchops, Superintendents and Commiſſioners of provinces charge all ſick perſons ſo joynit in that ſlanderous and vnleiſum band, to ſeparate themſelves and abſtaine fra vther, vntill the tyme it be decydit be the Judge Ordinar, Whither the ſaid mariage be lawfull or not, vnder the paine of excommunication to be execute againſt diſſobeyers.

[In the books of viſitation which ſhall be preſented to the Aſſembly be the Biſhops, Superintendents and Commiſſioners of provinces, it is ordained, That the names of their kirks be given up in ſpeciall be them in the beginning of the faids books.

Anent Biſhops, Superintendents and Commiſſioners of Kirks, who ſhall be found negligent in their office, or doe not their dutifull charge, either in their viſitation, doctrine or life: The Aſſembly hath decreed and ordained, That they ſhall be puniſhed and corrected according to the quality of their faults, either be admonition, publick repentance, deprivation for a time, or deprivation ſimpliciter, at the ſight of the ſaid Aſſembly.

Seſſio 8a.

Anent the time appointed be the General Aſſembly to pronounce their deliverance and anſwers upon the impugnations produced be Mr George Hay and his collegues, againſt the proceſs of admiſſion and election of the Biſhop of Murrey, produced be Mr Andrew Simpſon and Mr John Keith in name of the Chapter and Dean of Murrey, and upon the replyes made thereto: The ſaid Aſſembly underſtanding, That the ſaid Biſhop hath ſpeciall intereſs in the ſaid cauſe, and is not ſummoned thereto, ordaineth a citation to be direct out for ſummoning of the ſaid Biſhop, Dean and Chapter, in the premiſſes to the nixt Aſſembly; and appointeth John

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Durie, Miniſter of Edenburgh, and Mr George Mackeſone, Soliciter of the Kirk, to travell with the procurators of the Kirk, for libelling of the ſaid ſummons againſt them, and to ſee that diligence be uſed for raiſing thereof.

Ordains Mr Andrew Milne, Miniſter, to cauſe the Superintendent of Mernes and Angus to ſend over the Conference had at Leith, to be acted in the books of the Aſſembly. C.]

Tuiching the complaint made vpon the Biſchop of Dunkeld, for miniſtration of the holy ſupper vpon worke dayes, at the kirks within his juriſdictioun: It is thoght good be the Generall Aſſembly, That the ſaid Biſchop forbeare the miniſtratioun of the ſaid ſacrament vpon worke dayes, and cauſe it to be miniſtrat vpon the Sabboth dayes, according to the ordour of the reſt of the kirks within this realme.

[Forſamikle as in the acts of the General Aſſembly concluded of before, the ſaid Biſhop of Dunkeld was decerned and ordained to pronounce the ſentence of excommunication againſt John Earle of Atholl, wherein notwithſtanding nothing is proceeded, but the ſaid act plainly contraveened: Therefore it is ſtatute and ordained, That the ſaid Biſhop proceed againſt the ſaid Earle with the ſentence of excommunication within 40 days nixt thereafter, under the pain of ſuſpenſion of him from his ſaid office; and to the obſervation of this preſent act, the ſaid Biſhop hath interponed his faithfull promiſe.

The ſame day, complaint being made upon John Brand, Miniſter of Halyrudhouſe, That he had not pronounced the ſentence of excommunication againſt Alexander Biſhop of Galloway, conforme to the act of the Generall Aſſembly made of before: It was ſtatute and ordained, That the ſaid John proceed againſt the ſaid Biſhop and pronounce the ſentence of excommunication againſt him, if the ſaid Biſhop compeared not betwixt and Lambmeſs nixt, and ſatiſfy the ſaid Kirk, under the pain of deprivation of the ſaid John of his office, in caſe he failzie therein. C.]

Seſſio 9a.

[Forſamikle as be imprinting and putting [to] light of works repugnant to the truth of Gods word, or containing manifeſt error, the weak ones of the truth may be heavily prejudged and ſeduced from the truth: There-

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fore the Generall Aſſembly preſently conveened, all in one voice have given power to their loved brethren, Mr Robert Pont, Proveſt of the Trinity Colledge, Mr James Lowſone, Miniſter of Edenburgh, Mr David Ferguſone, Miniſter of Dumfermline, Mr David Lindſay, Miniſter of Leith, Mr Clement Little, one of the Commiſſioners of Edenburgh, John Brand, Miniſter of Halyrudhouſe, or any three or four of them conjunctly, To viſite and overſee all manner of books or works that ſhall be proponed to be printed, and to give their judgement thereupon, if the ſamine be allowable and approved be the Law of God or not; their judgement and opinion thereof be their ſubſcription and hand writt to witneſs and teſtify for relief of ſuch as ſhall read the ſaid works: which commiſſion of overſight forſaid the ſaid Generall Aſſembly willeth to endure firm and ſtable to their nixt Aſſembly.

For reviewing and ſighting of the hiſtory of Job compiled be Mr Patrick Adamſone in Latine verſe: The preſent Aſſembly hath willed their loved brethren, and the right honourable Mr George Buchanan, keeper of the Privy Seal, Mr Peter Young, Pedagogue to our Soveraign Lord, Mr Andrew Melvill, Mr James Lowſon, Miniſter of Edenburgh, to take travell in peruſing of the ſaid work; and if the ſame be found be them agreeable to the truth of Gods word, to authorize the ſamine with teſtimony of their hand writt and ſubſcription. C. & B.]

[Anent the petition of Mr Robert Pont and Mr Thomas Makcalzean, two of the Senators of our Soveraign Lord his Colledge of Juſtice, proponed in name and behalf of the ſaid Colledge, deſiring the Generall Aſſembly to provide, That the readers of ilk kirk note up the names of the perſons departed within their pariſhes yearly, and deliver the ſamine to the Superintendents to be exhibite be them at ilk Aſſembly: For ſatiſfieng of the ſaid petition, it was thought good and delivered be the ſaid Aſſembly, That the readers at every kirk, in the Synodall Aſſembly preſent the catalogue of the names of the perſons deceaſed within their paroich to their Superintendents, to the effect that they may report the ſame to the Generall Aſſembly, to be delivered to ſuch as ſhall be appointed be the ſaids Lords for receiving of the ſame. C.]

For avoyding of Simonie in the Kirk, the haill Aſſembly of the Kirk, all in ane voyce, hes vottit, concludit and decreit, That all ſick perſons as either buyes or ſells benefices, or vſes any vther kynd of couping thereof, either directlie or indirectlie, ſalbe depryvit of all kynd of function within

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the Kirk, and the diſcipline of the Kirk ſtrike vpon them with all kynd of rigour and extremitie; and the buyers, ſellers, or vtherwayes coupers of the benefices to tyne the ſame for ever.

It is ordained, That the Clerk of the Aſſembly receive of the Biſhops, Superintendents and Commiſſioners, the names of the Miniſters and readers provided ſince the deceaſe of unquhill John Gray, late Clerk of the ſaid Aſſembly, with the day and date of their admiſſions, to the effect their names may be inſert in the books of the Kirk.

Ordains to writt to the brethren Commiſſioners appointed for preſenting the articles concluded in this Aſſembly to my Lord Regents Grace, to receive the ſaids articles with their commiſſion and ſupplication to his Grace; and, in ſpeciall, to putt them in remembrance touching Mr John Davidſons Dialogue.

That the Biſhop of Dunkeld, for his departing before the diſſolution of this preſent Aſſembly, againſt the tenor of the act made the 13 of March 1572, be delated at the nixt Aſſembly.

The Commiſſioner of Cliddiſdaill, Ranfrew and Lennox reſigned over in the hands of the Aſſembly his commiſſion in theſe parts, praying the Aſſembly to provide ſome qualified zealous perſon in his place, that the countrey grow not to all kind of inſolence and diſſolution; which dimiſſion the ſaid Aſſembly, in reſpect of the preſent ſtate and neceſſity of time, would not receive, requeſting him brotherly to continue in his commiſſion till the nixt Aſſembly, with ſuch diligence in his office as he may reaſonably uſe, that the Kirk be not deſtitute in the mean time.

The tenor of the commiſſion given to Mr John Robertſon and Robert Grahame, Commiſſioners of Cathneſs.

At Edenburgh, the eleventh day of Auguſt, the year of God 1574 years. The whole Kirk preſently aſſembled, in one voice and mind, giveth full commiſſion, ſpeciall power and charge to their loved brethren, Mr Robert Grahame, Archdeacon of Roſſe, and Mr John Robertſon, Theſaurer thereof, conjunctly and ſeverally, to paſs to the countries of Cathneſs and Sutherland, and there to viſite Kirks, Colledges and Schools and other places needfull within the ſaids bounds, and in the ſamine to plant Miniſters, Readers, Elders and Deacons, Schoolmaſters and others members neceſſar and requiſite for erecting of a perfect reformed Kirk; ſuſpend

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for a time or ſimpliciter deprive ſuch as they ſhall find unworthy or not apt for their office, whither it be for crimes committed or ignorance; aboliſh, eradicat and deſtroy all monuments of Idolatry; eſtabliſh and ſett up the true worſhip of the eternal God, as well in Cathedrall and Colledge Kirks, as in other places within the ſaids bounds, conform to the order taine and agreed on in the Book of Diſcipline; and alſo to ſearch and inquire the names of all theſe that poſſeſs benefices within the ſaids bounds, at whoſe proviſion they have been; and if any vaike or happen to vaike within the Commiſſionary, to conſer and give the ſamine to the perſons qualified, and being preſented be the juſt patrons of the ſamine, the due examination preceeding, to reject and refuſe ſuch as they ſhall find unable and not apt thereto, as they will anſwer to God and the Kirk thereupon: Their diligence to be done therein with thir preſents, to report them to the nixt Aſſembly, where it ſhall happen to be holden for the time. Given in the Generall Aſſembly and 9 Seſſion thereof. Subſcribed be the Clerk of the ſame, day, year and place forſaid.

Seſſio 10a.

Anent the anſwers reported from Mr Robert Hamilton, Miniſter of Sanct Andrews, direct to the Moderator preſent, to the bill direct from the Aſſembly to him for his compearance before them to anſwer ſuper inquirendis, excuſing him be the buſineſs of the Colledge, and be the Superintendent of Stratherne who declared to him that the Aſſembly was to diſſolve incontinent: The Generall Aſſembly of the Kirk giveth commiſſion to Mr John Spotſwood, Superintendent of Lothian, Mr Robert Pont, Proveſt of the Trinity Colledge, Mr David Lindſay, Miniſter at Leith, John Brand and the Kirk of Edenburgh, with any three of the fornamed perſons, conjunctly to ſummon the Miniſters, Elders and Deacons of Sanct Andrews to compear before them and to try the cauſe, why the Faſt was not keeped among them according to the Act of the ſaid Aſſembly; and of the violation of the Sabbath day by profane playes, and ſuch other things as they ſhall inquire of them at their coming; and what beis done be them hereinto, to certify the brethren in their nixt Aſſembly.

The brethren underwritten, they are, to witt, Mr Robert Pont, Proveſt

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of the Trinity Colledge, and the reſt of the Commiſſioners depute be the Kirk to the conference with my Lord Regents Graces Commiſſioners, reproduced in plain Aſſembly the tenor of the ſaid conference, hinc inde in writt; which conference the ſaid Aſſembly cauſed deliver to Mr George Mackeſone, Soliciter for the Kirk, to be copied and given out in examples to the Biſhops, Superintendents and Commiſſioners of the Kirk and Miniſters, as he ſhould be required upon their reaſonable charges.

Queſtio, To the queſtion moved to the Aſſembly, C.] Whither if the parochiners of a towne, or the Proveſt and bailies thereof, aught to have the electioun of thair awin belman and Clerk: It is anſuerit, That ſick as payis them ſould chooſe them.

[The brethren appointed for viſitation of the books of Biſhops, Superintendents and Commiſſioners of provinces, gave their judgement thereof in writt to the Aſſembly.

Forſamikle as it is neceſſar, in caſe of the Aſſembly of the Eſtates of the realme or Parliament, that the Kirk be reſolved in ſuch things as they have to propone to the ſame, which neceſſarly requires a certain ſpace of before: Therefore C.] The brethren hes thoght good, in cace of any Parliament to be haldin, or any vther weghtie cauſe requyreand neceſſarlie the preſence of the body of this haill Aſſemblie, That the Superintendent of Louthiane, Mr James Lowſon, Miniſter of Edenburgh, Mr David Lindeſay, Miniſter of Leith, make laufull premonitioun and advertiſement to thair brether, to be preſent vpon ſick competent ſpace befor as they ſall think needfull; quhilk Convention of before ſalbe recountit for ane Aſſembly.

That abſents from this Aſſembly be ſumound to the nixt Aſſemblie to heir them convict of abſence; and puniſchment to be joynit to them at the ſight of the Kirk.

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A. D. M.D.LXXIV.

THE Generall Aſſembly begun and haldin at Edinburgh [Counſell houſe] the vij day of Marche 1574: In the quhilk were preſent Earles, Lords, Biſchops, Superintendents, Commiſſioners to plant Kirks, Commiſſioners of Provinces, Townes, Kirks, Vniverſities, and Miniſters. James Biſchop of Glaſgow, Moderatour.

Seſſio 1a.

[IN the trial of Superintendents, Biſhops and Commiſſioners, The Superintendent of Angus was complained upon, that quires within his diocy were ruinous: He anſwered, He had appointed takſmaſters within every paroich, raiſed letters and uſed diligence, and farther upon his own coſt ſupported diverſe quiers as he might.

The Biſhop of Dunkeld was delated, for not proceeding againſt the Earle of Atholl to excommunication; that he departed from the laſt Aſſembly before the diſſolving thereof; for making Simoniacall paction with unquhill Archibald Earle of Argile. To the firſt he anſwered, That he had uſed admonitions againſt the Earle of Atholl, who deſired ſome conference of godly and learned men, to the effect he might be reſolved in ſuch doubts of religion as preſently move him, ſeing that hitherto he hath not heard preaching; and required the aid of the Superintendent of Angus, the Superintendent of Lothian, Mr John Winram, Prior of Portmook, Mr James Lowſon, Miniſter of Edenburgh, Mr George Hay, Commiſſioner of Aberdeen. The Superintendent of Lothian was abſent: But the Aſſembly ordained the reſt, or any three of them, to confer with his

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Lordſhip afternoon, and to confer with him upon ſuch heads of religion as he ſtandeth unreſolved in, and to report his anſwer to the Aſſembly. To the ſecond he anſwered, That he being advertiſed of a bairne deadly ſick who ſoon after departed, went in heaſte out of the town, without advertiſement of the brethren; and if this excuſe was not ſufficient, was content to underly the will of the Aſſembly for a penalty. To the thrid he anſwered, He made no paction for the promotion of him to the Biſhoprick, but refuſed when he was required.

Seſſio 2a

The Biſhop of Brechin complained upon the Biſhop of Dunkeld, That in the laſt Aſſembly he ſhould have alledged that he was compelled be the Earle of Argile, now reſting with God, to give out penſions, which alledgance was a ſlandering of the Nobleman departed, and deſired it to be proven. The Biſhop anſwered, That he declared he was preſſed be the ſaid unquhill Earle of Argile to doe ſomething againſt his will. He ſhall give in writt his declaration wherein he was preſſed; and if he have failed in terms, he ſhall refer him to the brethren. The brethren appointed him to exhibite the declaration in writt upon Wedenſday.

The Biſhop of Murrey removed, It was remembred be ſome of the brethren that the queſtion is yet undecided, if he be Biſhop lawfully choſen or not; which moſt firſt neceſſarily be reſolved, before he be tryed in life and doctrine as a Biſhop. The Aſſembly deputed their brethren underwritten, Mr John Winram, Prior of Portmook, &c., Mr Andrew Hay, Commiſſioner of Ranfrew, &c., Mr David Cunninghame, Mr Andrew Melvill, Principall of the Pedagogie of Glaſgow, to conveen the morne at ſeven hours, and adviſe with the proceſs of the ſaid Biſhops election, and thereafter give their opinion and judgement anent the ſaid queſtion.

The Biſhop of Glaſgow being removed, It was complained, that ſundry Papiſts are within his bounds adjoined to the Kirk, and yet doe not communicat; and that a great number of kirks within his diocy are ruinous. To the firſt he anſwered, It was true, but he deſired the Aſſembly to preſcrive ſuch order and diſcipline as ſhould be uſed againſt them, which he promiſed to follow. And as to the ruinous kirks, It is not in his power to repair the ſame; albeit he had uſed the common order for reedifieng of them.

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Mr George Hay, Commiſſioner of Aberdeen, was complained upon, That the Synodall Aſſemblies were not keeped be him; and a day being appointed for the Synodall Aſſembly, he diſcharged the ſame; and further, that none of the Miniſters, betwixt Dee and Spey, conveened to this Aſſembly: nixt, That the moſt part of the kirks were ruinous through his diocy: and laſt, That there was no diſcipline uſed againſt hainous offenders within his bounds. To the firſt he anſwered, That the Synodall Aſſemblies were keeped; and that the Aſſembly appointed to be holden in Turreff was diſcharged be him, be reaſon he might not be preſent thereat, being occupied in reconceiling of the deadly feid; as for the Miniſters who were abſent, they had promiſed to be preſent, namely Mr Craig, who had ſent his excuſe in a letter. As for the ſecond, He had appointed takſmaſters, and uſed the order that become him. What he had done for correcting of vitious perſons and injoining diſcipline to them, referred to his books of viſitation.

Mr Patrick Adamſon, Commiſſioner of Galloway, confeſſed he had not uſed that diligence which lyeth to the full execution of his office, becauſe no ſtipend was appointed for the ſame; and yet did pro virili.

Mr John Row, Miniſter of Perth, detained in his bed be the fever, ſent his excuſe to the Aſſembly, and willed them to appoint ſome learned men for further triell of Mr Andrew Grahame, ſon to the Laird of Morphie, preſented be my Lord Regents Grace to the Chapter of Dumblane, to be promoved to the Biſhoprick thereof. The Aſſembly directed the ſaid Mr Andrew to give proof of his doctrine before the whole brethren who ſhall be aſſembled in the Counſell houſe, the morne at eight hours, upon the text appointed be them to him.

The brethren appointed to confer with my Lord Atholl, reported, That he was not fully reſolved in ſundry heads of religion, and deſired he might have ſome conference with ſome of the graveſt of the Miniſtry, as the Superintendent of Angus, the Prior of Portmook, Mr James Lowſon, Mr George Hay, Commiſſioner of Aberdeen, promiſing of his honour, that he ſhould aſſiſt my Lord Biſhop of Dunkeld for puniſhing of offences within his bounds, and ſetting fordward of his Synodall Aſſemblies, and that no ſlander or offence ſhould be found within his houſe. The Aſſembly appointed the ſame brethren to conſer and reaſon with him till the morne.

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Seſſio 3ª.

Anent the judgement of the brethren, touching the queſtion anent the triell of the Biſhop of Murrey: The Aſſembly findeth it meet, and ordaineth their brethren, appointed before to deliberate upon this difficulty, to propone their judgement therupon at afternoon.

After the exercife made be Mr Andrew Grahame, elect of Dumblane, the Aſſembly, for better triell of the ſaid Mr Andrew his doctrine and erudition, appointed Mr James Lowſon, Miniſter of Edenburgh, Mr Andrew Hay, Commiſſioner of Ranfrew, Mr John Winram, Prior of Portmook, Mr Robert Matlane, Dean of Aberdeen, Mr George Hay, Commiſſioner of Aberdeen, Mr David Cunninghame, Mr Andrew Melvill, to try the ſaid Mr Andrew be queſtions on the Scripture, at two afternoon; and ſo many as were preſent before, to be preſent at this triell.

The Aſſembly findeth it meet, that the Earle of Atholl his demand be given in writt with his offers, and appoints Mr David Lindſay, Miniſter of Leith, and Mr George Hay, Commiſſioner of Aberdeen, to require the ſame of his Lordſhip; who, at the ſame inſtant, being diſpatched from the Aſſembly to the Earle, returning, reported, That his Lordſhip ſuted a delay, while he might have conſultation of learned men to the reſolution of difficulties; and what he had promiſed of before, of his honour he ſhould keep the ſame to the leaſt point. The Aſſembly earneſtly craving the ſaids Lords converſion, and willing to win him be all means poſſible, that he might be joined to the Society of the Kirk, aſſigneth to the ſaid Lord, betwixt and Midſummer nixt, to be reſolved in the points of religion; and if he failzie therein betwixt and the ſaid day, and continueth in his former opinion, ſtanding obſtinat therein, ordaineth the Biſhop of Dunkeld to proceed againſt him with excommunication, under the pain contained in the Aſſembly preceeding made thereupon: And, in like manner, to proceed with the ſame ſentence againſt his Lady, if, betwixt and the ſaid day, ſhe join not herſelf in like manner to the religion, according to the order preſently eſtabliſhed; with admonitions in the mean time to be made to that effect.

Touching the complaint of the Biſhop of Glaſgow, that his bounds belonging to his juriſdiction was ſo large and wide, that one perſon was not able to viſite and overſee them: Whereof the Aſſembly having con-

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ſideration of before, gave commiſſion to Mr Patrick Adamſon and Mr Andrew Hay, to viſite certain parts and bounds limited in their commiſſions, who, for inlaike of ſtipend, may not await thereupon: And ſeing he payeth his thrid, and cannot upon the two part ſuſtain them, deſireth the Aſſembly to take order herewith: Who ordained ane humble ſupplication to be made to my Lord Regents Grace for providing the ſaids Commiſſioners for byganes, till farther order be taken, to be preſented to his Grace be John Areſkine of Dun, and Mr James Lowſon, Miniſter of Edenburgh, and to report his Graces anſwer the morne.

In name of my Lord Maxwell, Lord Hereis, Lairds of Dumlanrig, Cloſeburn, Larg, James Crichton of Garko, preſented a letter to the Aſſembly, wherein they lamented, that theſe three years bygane, their bounds, for laike of Superintendents and viſiters, had become altogether forgettfull of their duty toward God, and altogether before this time had ſhaken off obedience, if Mr Peter Watſon had not taken pains to viſite, and water the poor ones with the Evangell; deſiring therefore the brethren to give commiſſion to the ſaid Mr Peter to viſite the ſaids bounds, as their letter dated at Dumfreis, ſubſcribed with the ſaid Noblemens hands the day of February 1575, bears: Wherewith the ſaid Aſſembly being adviſed, commending the zeal of the ſaid Noblemen, hath given, and be thir preſents gives commiſſion to the ſaid Mr Peter to viſite the bounds of Nithiſdaill, [and] Annandaill, conform to the commiſſion given to him to that effect, till the nixt Aſſembly.

In like manner, The Aſſembly giveth commiſſion to their brethren, Mr Andrew Clayhill to viſite the bounds of Tiviotdaill and Tweeddaill, and to plant Miniſters, &c., conform to the commiſſion given to him thereupon.

Sicklike, Giveth commiſſion of a Superintendentſhip to Mr John Winram, Prior of Portmook, in the bounds of Fife and Stratherne, exeeming the bounds appertaining to the Biſhop of Dunkeld.

The Superintendent of Angus and Mernes continued in his office till the nixt Aſſembly, and the Biſhop of Brechin required to be preſent with him at viſitation, that he may ſee the order and proceeding uſed be the Superintendent in his office.

For ſatiſfieng the complaint given in againſt the Biſhop of Dunkeld, for not appointing of Miniſters to Preſton and Bonkle, The Aſſembly ordaineth the Biſhop to plant Miniſters at the ſaids kirks, and to viſite the ſame, that no farther complaint be heard.

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Seſſio 4ª

For reading and anſwering of bills and complaints, The Aſſembly appoints their well beloved brethren, Mr Patrick Adamſon, John Brand, Mr Gilbert Gardin, Miniſter at Elgine, and George Scot, to conveen in the Ile of the kirk, at ſeven hours in the morning, and at one afternoon, till the ſame be wholly reſolved and anſwered, and to remitt ſuch as they find doubtfull to the conſultation of the whole Aſſembly.

Anent the ſupplication given in be Alexander Biſhop of Galloway, deſiring the Generall Aſſembly that he may make ſatiſfaction in any kirk to be commanded be them, without ſackcloath, and namely within his own juriſdiction, ſeing that, by reaſon of his non compearance before them, he was ordained to be excommunicat, then being at the horn and unable to compear, as the ſame at length bears: The ſaid Alexander removed out of the Aſſembly, the brethren after long diſputation whither the ſaid decreet ought to be ſatiffied, notwithſtanding the alledgance of horning, or if he ſhould be heard, notwithſtanding the decreet given againſt him, to anſwer to the accuſations which of before were laid to his charge, Found in reſpect of the alledgit impediment of horning, that once yet he ſhould anſwer to the ſame accuſations. And being called in Aſſembly, the particular heads of accuſation, contained in the books of the Aſſembly, read in his preſence, anſwered to every accuſation orderly: And to the firſt, That he was compelled be authority that then was to accept the Miniſtry, and was choſen be the flock then preſent: And to the ſecond, Grants he preached the Queens authority to be lawfull, and injoyes the priviledge of the Pacification: To the thrid, He made prayers for her, and otherwiſe would not have been ſuffered to preach: And as to the condemning and accuſing of the Miniſters, Denyes the ſame, with the ferd accuſation: And as to the fift, anſwered, That he with certain others in the firſt Regents time in Parliament, proteſted, that in caſe the Queen were ſett at liberty, that their promiſe and faith were fred: and denyeth the ſixt accuſation, with proteſtation to the Aſſembly, that they would have ſome conſideration of his caſe, ſeing in Gods preſence he damns his former offences. Who being removed again out of preſence, after deliberation and long reaſoning upon the whole circumſtances and eſtate of the matter, with conſideration of my Lord Regents Graces requeſt made in his favours, the

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brethren ordained the ſaid Biſhop to appear before the Kirk of Halyrudhouſe, without ſackcloath, upon Sunday nixt to come, and in preſence of the congregation therein conveened, humbly to confeſs his offences and aſk the Eternal God mercy.

The brethren depute to the penning of their judgement upon the queſtion moved upon the Biſhop of Murrey his triell, gave in their opinion in thir words: That they think it needfull, in reſpect of the ſuſpicion conceived be the triall of his doctrine and manners, that he give perſonally ſuch tryal of his doctrine as the ſhortneſs of time will permitt; and ſicklike, that he make his purgation of the ſlanderous crimes whereof he was accuſed in the Aſſembly before, without prejudice of the proceſs depending. The determination hereof the brethren reſerved till the morne.

Seſſio 5ª

For viſitation of the books, The brethren appoints Mr James Melvill, Mr James Hepburne, Mr Adam Blackhall, Mr Andrew Clayhills, Mr Peter Primroſe, to concurr and meet at two hours afternoon where they think expedient, and continue in peruſing thereof, while the ſame be throughly read and conſidered, and to report to the Aſſembly what they find in the ſame.

The Superintendent of Angus and Mernes reported my Lord Regents Graces anſwer anent the Commiſſions of the Biſhop of Glaſgow and Superintendent of Lothian, That his Grace promiſed to take order therewith.

Anent the judgement of the brethren depute to the triell of the Biſhop of Murrey, reſerved to this days determination: The whole Aſſembly, according to the opinion of their ſaid brethren, thought their judgement moſt probable; therefore calling in the ſaid Biſhop, demanded, How he had ſatiſfied the act of Aſſembly, concerning the purgation of the ſlander: who anſwering, That he come before the Biſhop of Sanct Andrews now reſting with God, and ſatiſfied the ſaid act, whereof notwithſtanding he had no witneſſes to affirm his aſſertion. The General Aſſembly gave commiſſion to their brethren, the Superintendent of Fife, Mr James Wilkie, Rector of Sanct Andrews, Mr William Cooke, Commiſſioner of Sanct Andrews, preſent, to take the ſaids Biſhops purgation of the ſaid ſlander

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the morne, in the ſaid manner as he ſhould have done before the Biſhop and Kirk of Sanct Andrews; and becauſe he is preſently under medicine, that he may not travell for teaching to give proof of his doctrine, deputes their brethren, Mr John Winram, Superintendent of Fife, Mr George Hay, Commiſſioner of Aberdeen, Mr Andrew Melvill, to conferr and reaſon with him upon the points of religion the morne at ſeven hours, and what they find thereanent to report to the Aſſembly.

Anent the opinion of the brethren appointed to viſite the proceſs of the election and examination of the Biſhop of Roſſe: The whole Aſſembly, according to their judgement, found it meet, that he give new proof of his doctrine and literature in preſence of the Aſſembly, upon Saturday at eight hours, and appointed to him the laſt part of the firſt chapter of Zechary.

Becauſe in the Aſſembly holden in Auguſt laſt, ane act and ordinance was made for ſummoning of the Chapter and Biſhop of Murrey, to hear triell taken of the proceſs of his election, wherein notwithſtanding nothing is done nor putt in execution be the brethren appointed to take triell therein, be reaſon of pretended ignorance of the ſaid ordinance; therefore be univerſall conſent of the brethren, it is of new concluded, That a citation be directed out againſt the ſaid Chapter, and Biſhop for his intreſs, for production of the ſaid proceſs in the Aſſembly nixt to come, to hear and ſee triell taken thereof, with certification if they compear not, the ſamine ſhall be declared null and void in the ſelf; and for execution of the ſaid ſummons, the ſaid Aſſembly hath appointed Mr Robert Grahame, Commiſſioner of Roſſe, now preſent and accepting the charge.

For redreſſing of the general complaint made be ſundry brethren, That the exerciſe within towns is diſhaunted, and that Biſhops, Superintendents and Commiſſioners are not ſo diligent as duty requireth to attend the keeping thereof, the ſamine being ſo neceſſar a mean to the furtherance of the courſe of true doctrine: It is ſtatut and ordained, That all Biſhops, Superintendents and Commiſſioners within their bounds be carefull and diligent to enterteane the ſaid exerciſe upon the days appointed thereto, and ſpecially the Superintendent of Fife.

The Aſſembly appoints the morne at two hours to the Commiſſioners appointed to the conference with Mr Andrew Grahame, elect of Dunblane, to conferr and reaſon with him as was injoyned before. C.]

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Seſſio 7a.

Forſameikle as the greateſt part of the doctors and interpreters of the Scriptures that hes travellit in the interpretatioun and expoſitioun of the ſame, hes wrytin and comentit in the Latine tongue, and therfor it is thoght neceſſar for ſick as enters in the function of the Miniſtrie, to have vnderſtanding and knowledge of the ſame: Therfor the Generall Aſſemblie of the Kirk hes votit and concludit, That, fra this tyme foorth, nane ſalbe admittit to the functioun of a Miniſter within the Kirk, be the Biſchops, Superintendents and Commiſſioners of countreyis, but ſick as hes vnderſtanding in the Latine tongue, and are able to interpret the Comentares wrytin in the ſame language, and ſpeake congruous Latine, except ſick as be examination of the Generall Aſſemblie of the Kirk, for thair ſingular graces and gifts of God, ſalbe found able be them to vſe thair function without knowledge of the Latine tongue.

[Seing not only it becomes the true Meſſengers of the Word of Salvation to bear in their conſcience a good teſtimony of unfained humility and ſimplicity of their hearts, but alſo in externall habit and behaviour to repreſent the ſobriety and humility of their minds, that the mouths of the godleſs generation which are opened to blaſpheme the godly calling of the Miniſtry, may be ſhut up from juſt accuſation and ſlandering of the ſame; therefore, be determination of the whole Aſſembly, it is ſtatut and ordained, That all that ſerve within the Kirk apparell themſelves in a comely and decent cloathing, as becometh the gravity of their vocation, and that they conforme their wives and families thereto, that no ſlander nor offence ariſe to the Kirk of God therethrough. And to the effect it may be notified to the whole brethren, what ought to be eſchewed in apparrell, the Aſſembly hath injoyned the loved brethren, John Areſkine of Dun, Superintendent of Angus and Mernes, Mr Andrew Hay, Commiſſioner of Ranfrew, &c., Mr James Lowſon, Miniſter of Edenburgh, Mr John Winram, Superintendent of Fife, Mr George Hay, Commiſſioner of Aberdeen, to adviſe thereupon the morne at ſix hours in the morning.

Forſamikle as it is conſidered, that the playing of Clerk playes, comedies or tragedies upon the Canonical parts of the Scripture, induceth and bringeth with it a contempt and profanation of the ſame; therefore C.] It is thoght meit and concludit, That no Clerk playes, comedies or

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tragedies be made of the Canonicall Scripture, alfweill new as old, neither on the Sabboth day nor worke day, in tyme comeing; the contraveiners heirof, (if they be Miniſters) to be ſecludit fra thair functioun, and, if they be vthers, to be puniſchit be the diſcipline of the Kirk: and ordaines ane article to be given in to ſick as fitts vpon the policie, that, for vther playes, comedies, tragedies, and vthers profane playes as are not made vpon authentick partes of the Scripture, may be conſidderit befor they be proponit publicklie, and that they be not playit vpon the Sabboth dayes.

Seſſio 8a

Anent Miniſters proceiding to the mariage of parties, laufull impediment being proponed vnto them, quhilk afterhind is tryit and found to be of veritie: The haill Aſſemblie referris the diſcipline to be vſit agains ſick perſons, to the Biſchops, Superintendents and Commiſſioners of the countreyes quher they ſerve.

[Anent the report of the Biſhop of Murrey his purgation for the ſlander of fornication, as well before his inauguration as ſenſyne, and ſicklike of his doctrine: The Superintendent of Fife, one of the brethren appointed to that effect, reported, That the ſaid Biſhop was content to purge himſelf before the ſaid Superintendent and Kirk of Sanct Andrews, if it be not found in the books, that he had not purged himſelf of before, and ſince his inauguration; and becauſe he is under medicine and ſickly, and cannot preſently give ſpecimen of his doctrine, deſired a delay. The Aſſembly as of before, ordaineth the ſame Commiſſioners appointed as of before, to paſs to the ſaid Biſhop the morne, and to report his purgation upon the firſt head of the ſlander of fornication before his inauguration, and to conferr with him in his doctrine according to the ordinance preceeding.

Anent the ſupplication given in to the Generall Aſſembly be Mr Thomas M'Kalzean of Crichtonhall, one of the number of our Soveraign Lords Colledge of Juſtice, making mention, that where upon his late ſupplication preſented in their laſt Generall Aſſembly, touching his not admitting to the holy Sacrament of the Supper, they, be their act and ordinance, ordained Mr Robert Pont, Proveſt of the Trinity Colledge, the Miniſters of Leith and Cannongate with the Kirk of Edenburgh, to take triell, if his remaining in Edenburgh a certain time of the late

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troubles was be compulſion, &c.; and if it was ſo found, to mitigate their act, &c.: For taking of the which triell he hath inſiſted often times, and they conveening together have putt no end thereto, but for ſome good conſideration, as he ſuppoſes, hath remitted the cauſe unto their Wiſdoms: wherefore moſt humbly beſeeking them, ſince his remaining within this town is notoriouſly knowen to have proceeded from compulſion, juſt fear and dreadour, that they would take ſuch order, as he may be admitted to the nixt communion which is to be celebrate in this town. The ſaid Mr Thomas being perſonally preſent, and the Commiſſioners appointed in the laſt Aſſembly for taking triell, If the ſaid Mr Thomas remained in the town of Edenburgh for juſt fear and dreadour, which might fall in a moſt conſtant man, compearing be Mr James Lowſon, Miniſter of Edenburgh, and their proceſs being read and conſidered in open Aſſembly, the ſaid Mr James, in name of the Kirk of Edenburgh, being required, Why the ſaid Kirk admitted not the ſaid Mr Thomas to the communion, anſwered, For two cauſes; firſt, Becauſe the Kirk of Edenburgh received none that remained within the town in time of rebellion, without firſt compearing before them, and ſubmiſſion of them to the Kirk; and ſecondly, That he was ane elder and bare office within the ſaid town. The Aſſembly notwithſtanding having conſidered the qualification of the ſaid Mr Thomas juſt fear remaining within the ſaid town, voted and concluded the ſaid Mr Thomas oath to be taken, If upon juſt fear he remained within the ſaid town, and bare office, as ſaid is; who being called on, and re-entring, declared in his conſcience, That he remained, as ſaid is, within the ſaid town, and bare office therein, for moſt juſt fear and dreadour, which might fall in a conſtant man: Therefore the ſaid Aſſembly taking conſideration of the ſaid Mr Thomas declaration, as ſaid is, ordains the Kirk of Edenburgh to admitt the ſaid Mr Thomas to the nixt communion and participation of the Sacrament to be celebrate within this town; the ſaid Mr Thomas appearing before the pulpit of Edenburgh in his own gown, and making repentance for his ſaid offence in the face of the congregation; and thereafter giving to the poor the gown, wherein he maketh the ſaid ſatiſfaction, or elſe the price thereof.

For reading and anſwering the bills: The brethren appoint Mr Patrick Adamſone, Miniſter of Paſley, John Brand, Mr James Melvill, Mr Robert Montgomery, to conveen the morne at ſix hours, and ſo to continue till the ſamine be anſwered. C.]

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Seſſio 9a.

Anent the difficultie proponit vpon the preſentatioun of Mr Andro Grahame, preſenting him to the Biſchoprick of Dunblane, vnder the name of ane preacher, although he had bein none: The Kirk finds that finall concluſion is not ȝet had, That all Biſchops ſould be firſt preachers, and alwayes, if he be qualified, the preſentation to be obeyit; and ȝet, for farther tryall, appoints him to exerciſe vpon Wedniſday nixt in the Magdalene Chappell before the Biſchops, Superintendents and Miniſters that may be preſent, and ſpeciallie the Miniſter of Edenburgh, and ſo many of the Chapiter as may be ther, at ten houres afternoone, vpon the beginning of Romans 5.

[Becauſe it is generally complained be the brethren, that the Acts of the Aſſembly concerning univerſally the whole Kirk, as alſo ſundry queſtions coming in dayly uſe in particular Aſſemblies, and reſolved in the Generall Aſſemblies of before, are not come to their knowledge, which were moſt neceſſar to be known and notified to the whole brethren, that none ſhould pretend ignorance thereof: For remeed hereof, C.] The Aſſemblie hes willit thair lovit brether, Mr Robert Maitland, Deane of Aberdeine, Robert Pont, Proveſt of the Trinitie Colledge, Johne Brand, James Carmichaell, [Miniſter of Hadington,] to take travell in viſiteing and pervſing of the ſaids acts; and ſick as are generall with the Generall Aſſemblies, to marke and note the ſamein, that thereafter they may be drawin and extractit out of the bookes, that all pretext of ignorance may be tane away.

[Anent the policy and juriſdiction of the Kirk: The Generall Aſſembly of the Kirk ordains the brethren that hath travelled and written in this argument, to meet the morne at ſeven hours in Mr James Lowſon his chamber, and to conferr their labours and writing, to be preſented thereafter to the whole Aſſembly.

The Generall Aſſembly of the Kirk nominateth any two of their brethren after ſpecified, whom it ſhall pleaſe my Lord Regents Grace to accept, to wit, Mr Robert Pont, Proveſt of the Trinity Colledge, Mr Andrew Hay, Commiſſioner of Cliddiſdaill, Mr Patrick Adamſone, Miniſter of Paſley, Mr John Row, Miniſter at Sanct Johnſton, John Duncanſon, Miniſter of the Kings houſe, Mr Andrew Melvill, Principall of the Pedagogie

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of Glaſgow, in the place of Mr Alexander Arbuthnet, Principall of the Colledge of Aberdeen, and Mr John Spotſwood, Superintendent of Lothian, to concurr and reaſon with my Lord Regents Grace his Commiſſioners upon the juriſdiction and policy of the Kirk, at ſuch time as they ſhall conveen; and what beis condeſcended to be his Grace, ordains them to remain and await thereupon, as they will anſwer upon their obedience to the Kirk: and after that the ſaid conference is ended, the ſaids Commiſſioners to bring the copies thereof with them in all provinces, to be ſhowen to the Miniſters of the ſame, to the effect they may be the better reſolved, when matters ſhall come to open reaſoning.

Seſſio 10a.

Anent the ordinance given to Mr John Winrame, Superintendent of Fife and his collegues, to take the purgation of the Biſhop of Murrey concerning the ſlander of fornication, conform to the acts of the Aſſembly made of before, and to conferr and reaſon with him upon the heads of religion: The Aſſembly as of before appointed the ſaid Biſhop being preſent, the morne to make his purgation of the ſaid ſlander to the Superintendent of Fife and his collegues depute be them before thereto, and ordaineth them to report their opinion of his knowledge in the Scriptures to the reſt of the brethren, with his purgation, the ſame day.

Seſſio 11a.

According to the ordinance and appointment of the Generall Aſſembly, for tryall of the doctrine and ability of Mr Alexander Hepburn, elect of Roſſe, the ſaid Mr Alexander, in aſſembly of the greateſt part of the brethren, exerciſed upon the laſt part of the thrid chapter of Zechary, as was enjoined to him be the Aſſembly; and after removing out of the Aſſembly, the brethren with one conſent approved the ſaid exerciſe and doctrine, and praiſed God for the ſame.

The Aſſembly ordaineth ane article to be given in to them that reaſon upon the policy and juriſdiction of the Kirk, that a law be made, That no Biſhop be elected to a Biſhoprick be the Chapter, before he give proof of

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his doctrine before the Generall Aſſembly, and triell be taken be them of his doctrine, life and converſation: And, in the mean time, the ſaid Aſſembly diſcharges and inhibites all Chapters, that they proceed not to the election of any Biſhop, as ſaid is, without triell taken before of his doctrine and converſation before them; and thereafter he report his teſtimoniall of the ſaid Aſſembly to the Chapter, that thereafter they may proceed to his election.

Forſamikle as it is complained be diverſe within the Kirk, that ſuch as were Papiſts, and have ſince the Act of Parliament made confeſſion of their faith, have notwithſtanding as yet no ways participate of the holy Supper of the Lord, pretexing vain excuſes, wherethrough it appeareth that they were never in heart truly converted to God: Therefore C.] It is ſtatute and ordainit, That the Biſchops, Superintendents and Miniſters in all parts, admoniſch ſick as were papiſts, and hes ſen the Act of Parliament made confeſſion of thair faith, and notwithſtanding hes no wayes 3et participate the holy Supper of the Lord, to participate the Sacrament with the reſt of the congregation; and if they diſſobey, to be haldin as relapſe, and to proceid aganis them as relapſe with the ſentence of excommunication.

[The brethren having conſideration that their brother Mr John Spotſwood, Superintendent in Lothian, is become ſickly and not altogether able, in his own perſon, preſently to viſit the whole bounds allotted to him in Commiſſion; and underſtanding that their brother Mr James Lowſon, Miniſter of Edinburgh, is purpoſed to paſs through the Countrie and viſit the ſaid bounds, hath thought meet and ordained the ſaid Mr James to ſupport and aid the ſaid Mr John in his office of viſitation, and to make ſuch ſupplie to him therein as he goodly may to the next Aſſembly.

Alexander Arbuthnet, burgeſs of Edinburgh, preſented to the Aſſembly certain Articles for printing of the Engliſh Bible, quherof, with the anſwers of the brethren, the tenor followeth.

The Articles given in to the General Aſſembly concerning the Printing of the Bible, with the anſwers of the Kirk thereto.

Imprimis, Anent the godly propoſition made to the Biſhops, Superintendents, Viſitors and Commiſſioners in this General Aſſembly be Alex-

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ander Arbuthnet, Merchant burgeſs of Edinburgh, and Thomas Baſſanden, Printer and burgeſs of the ſaid burgh, for printing and ſetting forward of the Bible in the Engliſh tongue, conform to the Proof given and ſubſcribed with their hands: It is agreed betwixt this preſent Aſſembly and the ſaid Alexander and Thomas, That every Bible which they ſhall receive advancement for, ſhall be ſold in albis for four pound thirten ſhilling 4 pennies ſcotts, keeping the volum and character of the ſaids Proofs delivered to the Clerk of the Aſſembly.

Item, For advancement of the godly and neceſſary work and furtherance thereof, and home bringing of men and other proviſions for the ſame: The Biſhops, Superintendents and Commiſſioners bearing charge within this realm, underwritten, viz. James Archbiſhop of Glaſgow, Moderator, &c., have in preſence of the ſaid Aſſembly faithfully bound and obliged them and every one of them, That they ſhall travell and do their utter and exact diligence for purchaſing of ſuch advancement as may be had and obtained within every one of their juriſdictions, at the hands of the Lords, Barrons and Gentlemen of every paroch; as alſo with the whole Burrows within the ſame; and ſhall try how many of them will be content to buy one of the ſaids volumes, and will advance voluntarly the foreſaid price, whole, or half at the leaſt, in part of payment, and the reſt at the recept of their books; and ſhall try what every burgh will contribute to the ſaid work, to be recompenſed again in the books in the prices foreſaid; and ſo many as be content to the advancement of the work foreſaid, that the ſaid Biſhops, Superintendents and Viſitors collect the ſaids ſumms and inroll the ſamen with their names what every one of them gives; which roll ſubſcribed with their hands, and money, ſhall be ſent be them to the ſaid Alexander and Thomas, betwixt and the laſt of Aprile nixt to come, and ſhall receive upon their deliverance of the ſaids ſumms and rolls the ſaid Alexander and Thomass handwritt; to the effect they and their cautioners may be charged for the ſaid books, conform to their receipt.

Item, That every perſon that is provided of old as well as of new, be compelled to buy a bible to their paroich kirk, and to advance therefore the price foreſaid, and the ſaid prices to be collected and inbrought be ſaid Biſhops, Superintendents and Viſiters within each bounds and ſhire within their juriſdiction, betwixt and the laſt day of June; and becauſe the ſaid act appertains and is expedient to be ratified be my Lord Regents

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Grace and the Lords of the Secret Council, and an act of Council to be made thereupon: The Aſſembly ordains Mr David Lindſay, Miniſter of Leith, Mr James Lowſon, Miniſter of Edinburgh, and Alexander Hay, Clerk of Council, to travell with his Grace and Lordſhips for obtaining the famine, together with the priviledge of the ſaid Alexander and Thomas for imprinting of the ſaid work. The Kirk ordains the ſaid Mr James and Mr David to travell with Mr Andrew Polwart and Mr George Young, or any of them, for correcting of the ſaid Bible, and to appoint a reaſonable gratitude therefore at the coſt of the ſaid Alexander and Thomas.

Item, The Kirk hath promiſed to deliver the authentick copy, which they ſhall follow, to them betwixt and the laſt day of Aprile.

Item, For reforming of the ſaid work be the ſaid Alexander and Thomas; they have found cautioners, Archibald Seingeur and James Norvell burgeſs of Edenburgh, with themſelves conjunctly and ſeverally, that they ſhall deliver ſa many books as they ſall deliver advancement for perfecting of the ſaid work, which ſhall be, God willing, betwixt and the laſt of March the year of God 1576 years; and the ſaid Alexander and Thomas are bound and oblidged to releive them. Sic ſubſcribitur Alexander Arbuthnet with my hand, Archibald Seingeour, James Norvell with my hand, Thomas Baſſanden with my hand.

Anſwer of the Generall Aſſembly to the ſaids Articles in their order.

To the firſt article, anſwered, Referres the proceſs to the Counſell.

To the ſecond, The Kirk promiſes faithfully.

The Kirk gives Commiſſion to the perſons following, to wit, to Mr Robert Pont, Mr James Lowſon, Mr David Lindſay, Mr James Carmichell, Mr Andrew Polwart, Mr Peter Young, or any three of them, to overſee every book before it be printed, and lykways to overſee the labours of others that have travelled therein, to be given in to the printing betwixt and the laſt of Aprile.

Forſamikle as there is expectation had of a Parliament to be ſhortly, whereunto ſundry things are to be proponed be the Kirk, which of before would be ripely reſolved be common judgement and opinion of the whole

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brethren: C.] It is thought meitt [and expedient be uniform reſolution of] the haill brether, That the miniſters of Edinburgh and Leith give warning and advertiſement to the Biſhops, Superintendents and Commiſſioners of Countreyis, aught dayes before the Parliament, to the effect that they may warne the reſt of their brethren to be preſent, to conſult and put in deliberation ſick things as ſalbe thoght, after good advyſe, to be proponit to Parliament: which Convention ſalbe comptit for ane Aſſemblie.

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A. D. M.D.LXXV.

THE Generall Aſſembly haldin and begun the 6 day of Auguſt 1575, in the Ovir Tolbuith of Edenburgh: Wher ther was preſent the Biſchops of Galloway, Dunkeld, Brechine, Dumblane, Glaſgow, and the Biſchop of the Yles, Superintendents of Angus and Lowthiane, Commiſſioners of Countreyes and Townes, with the Miniſters. Mr Robert Pont, [Proveſt of Trinity Colledge] Moderatour.

Seſſio 1a

According to the ordour and cuſtome of the Aſſemblie, it was proceidit to the examination and tryall of the lyves, converſatioun and doctrine of Biſchops, Superintendents and Commiſſioners of Provinces.

[The Biſchop of Glaſgow was exhorted to be diligent in preaching which was neglected be him. C.] Johne Durie, ane of the Miniſters of Edinburgh, proteſts that the tryall as Biſchop prejudge not the opiniouns and reaſons, quhilks he and vther brether of his mynd hes to oppone agains the ſaid office and name of a Biſchop.

[The Biſhop of Dunkeld removed, was delated, That he dwelt not within his dioceſe; That there is no exerciſe obſerved there; That he wrote a letter to George Lundie, Miniſter of Crammond, to ſerve equally four kirks every Sunday about, under the pain of deprivation; That the ordinance concerning the Earle of Athole is not keeped; That he had delapidat the patrimony of the benefice. Reentering, he anſwered, He made little reſidence in any one place, as may appear be his book of

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viſitation, and was oftener in Dunkeld, ſince the laſt Aſſembly, than in any other place. 2d, That the exerciſe is holden in Perth, and that his Miniſters goe thither. To the 3d he anſwered, That a part of the benefice he had ſett in few to the poſſeſſors of the ground, without diminution of the rental. Being inquired, if he had ſett any victuall for ſilver, which before was not ſett for money, anſwered, He ſett none in Lothian for money; but within the bounds of Dunkeld he had ſett victual for ſilver, viz. a nineteen year tack of 36 chalder of teind victuall for 5s. 8d. the boll to the Earle of Argile. To the 4th, produced two of my Lord Athols bills, but granted he had not excommunicat him. C.]

The Generall Aſſemblie ordaines the Biſchop of Dunkeld, betwixt and nixt Aſſemblie, to reſort himſelfe with his familie to Dunkeld, and make reſidence ther, vnder the paine of excommunication.

The brethren in ane voyce finds great fault with the dilapidatioun of his benefice; and ordaines the acts of the Aſſemblie to be viſit and to be conſidderit, if ther be any penaltie appointit for the ſaid dilapidatioun, betuixt and the ſext day of this inſtant, and continues thair farder determinatioun thervpon to the ſaid day.

[The pretended excuſe in not excommunicating of the Erle of Athol, is rejected as frivolous, and the Aſſembly decernes, That, for not obedience to the ordinance of the Aſſembly, he hath incurred the pains contained in the act and ordinance made thereupon.

The Superintendent of Angus and Mernes was complained upon, That he admitted ane Mr Robert Merſer, Miniſter at Banquhar ternitie, unable to diſcharge his cure: Anſwered, The ſaid Mr Robert was admitted with the advice of his brethren of Aberdeen, and was tryed be them. The Aſſembly ordaineth the Principal of Aberdeen with John Craig, Miniſter there, to take tryall of his doctrine and literature.

The Commiſſioner of Aberdeen complained upon, That the Readers and Miniſters in the countrey keep certain patron and feſtival dayes, and on theſe dayes conveen, pray and preach, and foſter the people in ſuperſtition. Item, That there is no diſcipline keeped within the dioceſe. To the firſt he anſwered, That ſome Miniſters of the countrie think it lawfull, but for his own opinion he wiſhed it ſhould be taken away by an ordinance of the Aſſembliy: As for the 2d, referrs him to his books.

Mr Robert Grahame, Commiſſioner of Cathneſs complained upon, That he had not been diligent in his viſitation; That he hath moe offices nor

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he may diſcharge. Item, there is a marriage made betwixt the Erle of Caithneſs daughter and the Laird of Innies, ſhe being divorced for adultery from her huſband, and, that he gave command thereto. To the firſt he anſwered, That he was compelled to come there four tymes in the year, and grants that he was in Caithneſs but once: That he is denuded of the Commiſſionarie, and has no commiſſion for Roſſe, albeit he ſupport the countrie this year. As to the marriage, Grants he gave to her ſuch liberty as the Kirk gives to others; and that ſhe has made her repentance bareheaded and barefooted. The brethren diſcharge him of his commiſſion, and ordaineth, That he be not admitted again till farther adviſement.

Seſſio 2ª

The Aſſembly appointed ſome brethren to reaſon with the Biſhop of Dunkell and ſuch others as he will joine to him, anent the dilapidation of his benefice, and to ſee why the ſaid dilapidation is not cauſe of deprivation. Afternoon C.] The Biſchop of Dunkeld compeirand in the Aſſemblie, deſyrit that he might have Mr Johne Grahame, Advocate, to reaſon for him in a matter of dilapidation; quhilk beand thoght a new thing, and by cuſtome of the Aſſemblie, was finallie votit and concludit to be ane novatioun and to introduce ſome contradictioun; and fand him not to be admittit nor nane vthers quho are not of the functioun of the Kirk; and therfor ordaines him to anſuer in his awin perſon, the 9 of this inſtant, or to chooſe any of the brether of the functioun of the Kirk to reaſon for him.

[Mr Thomas Howeſon produced an act of the Synodall Aſſembly of Murrey, bearing that there was no queſtion moved at the Biſhop of Murrey his election, and what purgation he would make of the ſlanderous bruit raiſed upon him and the Lady of Ardroſſe; and farther excuſed the ſaid Biſhop his abſence, becauſe he was ſlandered, in the laſt Aſſembly, be Mr Walter Balcanqual, as fornicator with the Lady Ardroſs. The Aſſembly judgeth the excuſe frivolous. C.]

Becauſe certaine of the Biſchops and Superintendents compeirit not the firſt day of this Aſſemblie, it was thoght good to call them, and the abſents to be notit.

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[The Superintendent of Fife complained upon, C.] That none of the Vniverſitie of Sanct Androes is preſent, nor nane to come heir; [That the Kirk of Ryne hath no Readers, by reaſon of a controverſie among the Readers; That the exerciſe is taken away fra Sanct Leonards to the pariſh kirk, and yet neither preaching nor exerciſe keeped that day. To the firſt he anſwered, That it is not his duty to name Commiſſioners for the Univerſity, but it belonged to themſelves; and that they had nominat Mr Robert Hammilton their Miniſter: To the 2d, That the matter being remitted to him, he found no ground, and has remitted the ſame to the Aſſembly; quherin they have decerned the poſſeſſor to remain at the ſaid kirk; and ſinceſyne the pariſhoners agreed to another thrid perſon: To the 3d, That there was an order ſet down for the exerciſe, and a roll of the exerciſers written; and not the leſs no exerciſe has been keeped ſince Paſche by paſt a year; whereof he deſired the brethren to provyde ſome remedy. The Aſſembly ordained the exerciſe to be reſtored again to Saint Leonards Colledge, and the Fryday preaching to be keeped; but yet Mr Robert Hammilton to be heard, when he comes to the Aſſembly. Sicklyke the Aſſembly ordaines the ſaid Superintendent to place the ſaid John Pitcarne in place of the Reader, and to give him his letters of concurrence, ſuch as were given be the unquhill Biſhop of Sanct Andrews, conforme to their decreet.

Mr Peter Watſon, Commiſſioner of Nithſdale complained, That the Toun of Dumfries, on Zuile day laſt by paſt, ſeeing that neither he nor the Reader would read nor uſe doctrine upon theſe dayes, brought a Reader of their own with tabron and whiſle, and cauſed him read the prayers; which exerciſe they uſed all the days of Zuile. This complaint the brethren thought good ſhould be intimat to my Lord Regents Grace, that he may find remeed herein.

The ſaid day, Alexander Biſhop of Galloway preſented to the Aſſembly the tenor of his ſatiſfaction, decerned to be performed be him, and decreet of the brethren, and deſired to know, if he had ſatiſfied the ſentence preſented be them: Which they found ſatiſfied and fulfilled in all points, according to the contents thereof.

Anent the apperraling of the Miniſtry omitted in the laſt Aſſembly: The Aſſembly appoints their loving brethren, to whom commiſſion was given of before, to conveen the morne, at 7 hours, in Mr James Lowſon, Miniſter of Edenburgh his houſe, to pen ſuch apparrelling as is to be

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ſhewed be them, conform to the act of the laſt Aſſembly, and to report the ſamen to the brethren the morne. C.]

Seſſio 3ª

The brether appointit to pen thair judgement anent the habite of the Miniſters and thair Wyſes, preſentit the ſame to the Aſſemblie, quhilk was found good; and all the brether ſerving the functioun of the Kirk, ordaynes to conforme themſelves and thair wyves therto, and ordainit effectuouſlie to follow the ſame: Quherof the tenor followes in thir wordes.

Forſameikle as a comely and decent apparrell is requiſite in all, namelie in the Miniſters and ſick as beares functioun in the Kirk: Firſt, we thinke all kynd of brodering vnſeimlie, all bagaries of velvett on gownes, hoſes or coat, and all ſuperfluous and vaine cutting out, ſteiking with ſilks; all kynd of coſtlie ſewing on paſments, or ſumptuous or large ſteiking with ſilks, all kynd of coſtlie ſewing or variant hews in ſarks, all kynd of light and variant hewes in cloathing, as red, blew, ȝeallow, and ſicklyke, quhilk declares the lightnes of the mynd; all wearing of rings, bracelets, buttons of ſilver, gold or vther mettall; all kynd of ſuperfluitie of cloath in makeing of hoſe; all vſing of plaids in the kirk be Reidars or Miniſters, namely in tyme of thair miniſtrie and vſing thair office; all kynd of gowning, coating, or doubliting, or breiches of velvett, ſatine, taffettie, or ſicklyke; all coſtlie gilting of whingers and knyves, or ſicklyke; all ſilk hatts, or hatts of divers and light collours: Bot that thair haill habite be of grave collour, as black, ruſſet, ſad gray, ſad browne, or ſearges, wirſſett chamlet, growgrame lytes wirſſett, or ſicklyke: and to be ſhort, that the good word of God be them and thair immoderatenes be not ſlanderit; and thair wifes to be ſubiect to the ſame ordour.

[Anent the terme appointed to the Biſhop of Dunkell to reaſone in his own cauſe be himſelf or ſome of the brethren of the function of the Miniſtry, concerning the dilapidation of the benefice: The ſaid Biſhop being preſent, declared he had fought aſſiſtance of ſome of the brethren of the Miniſtrie, and could have none; and therefore deſired the Articles of his accuſation to be given him, and a delay to the next Aſſembly, that he and ſome brethren may be adviſed therewith for their anſwer; and to

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that effect produced his ſupplication in writt. The Aſſembly found that no further delay ſhould be given, but till Thurſday next to come; and appointed the Biſhop of Glaſgow, Mr George Hay, Mr John Row, Miniſter of Perth, to give their advice to him, and to reaſone for him the ſaid day.

The ſame day, James Nicolſon, Collector Clerk, exhibited to the Aſſembly a roll of the Miniſters that had waſted the patrimony of their benefices, and made no reſidence at their kirk: whereof the particular catalogue followeth. John Webſter alias Watſon, Parſon of Camuſbie, hath dilapidat his benefice; Alexander Urchart, Parſon of Olrick, has dilapidat his benefice, and waiteth not on his charge; George Sinklar, Chancellor of Cathnes, waites not on his cure; Gilbert Gray, chanter of Cathneſs, and Mr George Monro, waite not on their cure; Mr John Gordon, Miniſter of Speinie and Keith, Mr Patrick Dowglaſs, Treaſurer of Murrey, Mr Alexander Gordon, Chancellor, await not on their cure; Andrew Spence, Miniſter at Forg, Drimblait and Colſamand cannot await on his cure, becauſe he occupyeth an ſervile office in my Lord Forbeſs houſe of Drummynoure, far diſtant from his charge; Mr John Barton, Miniſter of Clunnie Kilmavenock, Mr James Hering, Proveſt of Methven, Mr George Ramſay, Miniſter of Fouldon and Chirneſide, Mr William M'Gawin, Commiſſar of Wigton, Perſon of Minto in Tiviotdale, William Bonkle, Vicar of Hadinton, Robert Dowglaſs of Mordingtoun, James Stewart, Parſon of Glenwhinie, James Stirling, who ſold the Parſonage of Carſtairs, Waltar Haddon, a new Perſon, awaite not upon their cure; John Kinnaird, Vicar of Carſtairs, awaiteth not on his cure, and hath ſlain the Laird of Corſton; Mr John Colvill, Chanter of Glaſgow, and Miniſter of Kilbryd, Mr Patrick Adamſon and Mr Andrew Polwart, Miniſters of Paiſley, Mr William Chirnſide, Parſon of Luſs, wait not on their cure; Mr John Rynd, Parſon and Vicar of Cumnock, has ſett the ſame for fourty pound; Mr Archibald Sinclair, Parſon of Zuddick, James Preſton, Parſon of Daylie, Mr John Walker, Miniſter of Monigaſe, await not on their cure. The which perſons being called, The ſaid George Monroe, Mr James Herring, and Mr Patrick Dowglaſs compeared. The Aſſembly appointed the eleventh of this inſtant for them to anſwer, and to take order with the abſents. C.]

It appeirit to ſome of the brether that the lang continuance of Commiſſioners in thair offices, ſould induce ſome ambition and inconvenience

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within the Kirk; and therfor was thocht a matter to be conſultit in this Aſſemblie, Whither it were beſt that the Commiſſioners of Provinces ſould be changit, fra ȝeir to ȝeir, fra the countreyes quher they travell to vthers. After long reaſoning, the greateſt part of the Aſſemblie thoght beſt, quher men may be had abill to vſe the Commiſſioun, that ane ȝeirly exchange ſould be. [And for the preſent tranſports Mr George Hay from Aberdeen to Cathneſs, and in his room placeth Mr John Craig, Miniſter of Edinburgh: And ſicklyke appoints Mr David Lindſay to ſupport the viſitation of Murrey, and conſider the Biſhops diligence, with the complaints of the Miniſters of the countrie againſt him, during his reſidence there: And ſicklyke, Mr John Row to viſit the bounds there appertaining to the Biſhop of Dunkelds juriſdiction, upon the Biſhops expenſs: And ſicklyk continueth the Superintendents of Fife and Lothian in their offices reſpectivé. Mr Andrew Hay, Commiſſioner of Renfrew, deſired to be exonered of his Commiſſion, but is exhorted to continue in his charge till the next Aſſembly: Mr Peter Watſone continued Commiſſioner of Nithiſdale, and Mr Andrew Clayhills, Commiſſioner of Tiviotdaill. Sicklyke the Aſſembly continues Mr John Duncanſon, Miniſter of the Kings houſe in his Commiſſion of Galloway till the next Aſſembly, and exhorts the Biſhop of Galloway to aſſiſt him, when he comes in the Countrie.

For viſitation of the Books: The Aſſemblie appointed their lovit brethren, William Chriſteſon, Miniſter of Dundie, Mr Gilbert Gardin, Mr James Greg, Mr Roger Gordon, John Fullerton, Miniſter of Sanquhar, Mr Andrew Mylne, George Scott, Mr Thomas Biger, Mr James Carmichall, Miniſter at Hadinton, to conveen at 7 hours the morne, in the Upper Tolbuith, and to continue till the ſame be peruſed.

For reading and anſwering of bills and complaints: The brethren appoint Mr David Lindſay, Miniſter at Leith, David Ferguſon, Miniſter of Dunfermline, John Duncanſon, Miniſter of the Kings houſe, Mr Andrew Melvill, Principal of the Pedagogie of Glaſgow, Mr Alexander Arbuthnet, Principal of the Colledge of Aberdeen, and Mr Walter Balcanqual, one of the Miniſters of Edinburgh, to meet at two afternoon, in the Over Tolbuith, and ſo forth to continue till the ſame be anſwered and reſolved.]

Ordaines Mr James Lowſone, James Biſhop of Glaſgow, Mr Andro Hay with Alexander Hay, Clerk of Privie Counſell, to conceive ane

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article in wryte, concerning the vnioun of paroch kirks, to be preſentit the morne to the brether to be conſiderit be them.

Seſſio 4ª.

[The General Aſſembly of the Kirk enjoyned their beloved brethren, Mr David Lindſay, Miniſter at Leith, Mr John Row, Miniſter at Perth, and Mr Andrew Hay, Commiſſioner of Ranfrew, to form and pen the Articles to be preſented to my Lord Regents Grace in writt, with ſuch poſſible diligence as they goodly may, and hereafter to produce them to the whole brethren to be conſidered; if the ſame ſhall be found good to be directed to his Grace: who being depeſhed from the Aſſembly, returning again, preſented the ſaid Articles to the ſaid brethren; which being read were found worthie and expedient to be preſented to my Lord Regents Grace: always if any other articles ſhall be thought good be the brethren to be eeked hereto, they are deſired to exhibit the ſame, afternoon.

The General Aſſemblie of the Kirk all in one voice giveth commiſſion and power to the right honourable and their loved brethren, James Biſhop of Glaſgow, John Areſkin of Dun, Superintendent of Angus and Merns, Mr John Spotſwood, Superintendent of Lothian, Mr John Row, Miniſter of Perth, and Mr David Lindſay, Miniſter of Leith, to paſs to my Lord Regents Grace, and preſent unto his Grace the articles of the ſaid Aſſembly, contained in writt and delivered to them, and, with all humility and dew deference, to require his Graces good anſwer thereto, conferr and reaſon with his Graces anſwer thereupon, and to report his Graces anſwer to the ſaid articles, againſt the 12th day of this inſtant before the diſſolution of this Aſſembly.

Followeth the tenor of the ſaid C.] Articles to be preſentit to my Lord Regents Grace.

Imprimis, For planting and preaching the word through the haill realme: It is deſyrit, That ſo many Miniſters as may be had, quhilks as 3et are vnplaced, may be receivit, aſweill in the countrey, to releive the charge of them that hes many kirks, as vtherwayes throuchout the haill realme; with Superintendents or Commiſſioners within theſe bounds quher Biſhops

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not, and to help theſe Biſchops that hes ovir great charge, and reaſonable livings to be appointit to the forſaids; and alſo payment to them that hes travellit befor as Commiſſioners in the ȝeirs of God 1573, 1574, and ſo foorth in time coming, without the quhilk the travells of ſick men will ceaſe.

2. That ſick impediments be removit away as makes hinderance to the progreſſe of the doctrine, ſick as aboundance of vice in all parts of this realme vnpuniſhit, marketts vpon the Sabboth day, and Miniſters troublit in the executioun of thair office.

3. That the ordour already tane toward the poore may be put in full executioun: And to that effect, that a portion of the teinds quhilk is thair awin patrimonie, aſweill of the twa part as of the thrids, may be imployit for thair ſuſtentatioun, according as neceſſity craves; and to this effect, that the Hoſpitalls quhilk hes bein of auld, may be reſtorit to thair awin vſe, notwithſtanding of any title made therof to vther perſons; and alſo that ſick ordinar almes as hes bein appointit foorth of Abbayis or vther benefices, be long conſuetude, may be payit to the poore as of befoir.

4. Becauſe the Schooles are the fountaine fra the quhilk Miniſters muſt flow, That proviſion be made for them, not only for ſick as remaines within the realme, but alſo for men of good ingyne, quhilk be the Kirk ſould be found [meet] to viſite other countreyes and Vniverſities for thair furtherance in learning; and cheiflie for Glaſgow, becauſe it is new erectit, and hes not ſick proviſion as vther Vniverſities.

5. That ſick aſſignatiouns as hes bein appointit be the Prince and the Kirk, and alterit without the advyſe of the Kirk, may be repairit; and that, in tymes coming, ſick aſſignatiouns as ſalbe appoyntit, be not alterit without the advyſe of the Kirk, vtherwayes no Miniſter ſalbe ſure of his aſſignatioun.

6. Quher Miniſters produces letters of horning to the General Collectour, vpon ſick perſons as are aſſignit to them for payment, the ſaid collectour may be cauſit to make payment to the ſaids Miniſters.

7. That all dayes that heirtofoir hes bein keipit holie, beſydes the Sabboth day, ſick as ȝoole day, Saincts dayes, and ſick vthers, may be aboliſchit; and a civill penaltie againſt the keipers therof be ceremonies, banquetting, playing, faſting, and ſick vther vanities.

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8. That all ſick Miniſters or Reiders as, either be infirmitie or age, becomes vnable, may have thair ſtipends indureing thair lyfetymes.

9. That the Clerk of Aſſemblie be anſuerit of the ordinarie ſtipend appointit to the Clerk of befor, namelie, in reſpect of his labours multiplied be wryting of the haill Miniſters and reidars letters, aſweill for anſuering them of thair ſtipend as of thair gleibs and manſes, gratis; and that his name may be inſert in the booke of aſſignatioun, with his ſtipend, as vſe was; and ſicklyke be anſuerit of the zeir bypaſt that he hes ſervit.

Anent the queſtion proponit be certaine brether of the Aſſemblie of the haill Kirk, Whither if the Biſchops, as they are now in the Kirk of Scotland, hes thair function of the word of God or not, or if the Chapiter appointit for creating of them aucht to be tollerated in this reformed Kirk: For better reſolution heirof, the Generall Aſſemblie of the Kirk appoints thair lovit brether, Mr Johne Craig, [Miniſter of Aberdeen] Mr James Lowſone, [Miniſter of Edenburgh] and Mr Andrew Melvill, Principall of the Colledge of Glaſgow, on that ane part; George Hay, [Commiſſioner of Cathneſs] David Lindeſay, [Miniſter of Leith,] Johne Row, [Miniſter of Perth,] on that vther part, to conveine, reaſon and conferre vpon the ſaid queſtioun, and to report thair judgement and opinioun thervpon to the Aſſemblie befor the diſſolving therof, if they be reſolvit betuixt and the ſame.

Seſſio 5ª.

[Anent the term appointed to the Biſhop of Dunkeld, to reaſon in his own cauſe concerning the dilapidation of his benefice, and to propound what defence he had therein, why the ſamen merits not deprivation: The ſaid Biſhop compearing in Aſſembly declared, That the ſetting of the tack of the 36 chalder victual for ſix ſhilling 8 pennies the boll (confeſſed be him before) to the Earle of Argile, was not voluntarly, and that divers tymes it repented him thereof; and yet, be the grace of God, is willing to have it reformed, either be favour and good will of my Lord Argile, or be proceſs of Law, wherein my Lord Regents Grace had promiſed to him his aſſiſtance, as my Lord Juſtice Clerk being preſent could teſtify his Lordſhips good will therein; who lykeways, be a writing of his Grace direct to him, declared, he minded to travell with the Erle of Argyle, that it

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may be reformed, and defired my Lord Regents Graces requieſt, That all farther proceſs againſt the ſaid Biſhop ſhould be intermitted, till the next Aſſembly. The Generall Aſſembly willing to ſatiſfie my Lord Regents Graces ſuit and requeiſt, and looking, that be his Graces travell and diligence, and procurement of the ſaid Biſhop to be tane be him in this intermediat tyme, that matters ſhall take better fruit, and be reformed, hath continued and continues the ſaid cauſe in the ſame force and effect as it is now, to the firſt day of their next Aſſembly; and the ſaid Biſhop is warned thereto.

Becauſe of ſundry acts and concluſions holden in the Aſſembly, for excommunication of the Erle of Athole, which notheleſs have not been put in execution, for which cauſe the Biſhop of Dunkeld is preſently ſuſpended from his office: Therefore the Generall Aſſembly hath ordained a writting to be direct in their names to his Lordſhip and his Lady, requiring them, if they ſute conference or reaſoning of any of the brethren, to choiſe three or four, with Mr John Row, Commiſſioner, appointed in theſe parts, whoſe conference and counſell they may have, and whom the ſaids brethren commands to give their conſultation to them, that they may be reſolved in the points of religion, betwixt this and Martimaſs next to come; and their meeting to be in Dunkeld and Saint Johnſtoun: Which conference being had, and they not reſolved, as ſaid is, betwixt and the ſaid day, Ordaines the ſaid perſons with the ſaid Mr John, to pronounce the ſentence of excommunication againſt them: and if they refuſe the ſaid conference, ordaines the ſaid Mr John Row, with aſſiſtance of the Superintendent of Angus and Mernes, the Superintendent of Fife, William Chriſteſon, Miniſter of Dundie and Tibbermuir, to pronounce againſt them the ſentence of excommunication within Dunkeld: and if they be ſtopped, or troubled there, that they may not pronounce the ſame, to execute and pronounce the ſamen in Sanct Johnſtoun. C.]

Ordaines ane article to be made to the Lords of the Seſſioun for Miniſters and Reidars, that they may have expedition of thair proceſs perſewit befor them, that they be not abſtractit from thair charges.

Seſſio 6a

[The Commiſſioners direct to my Lord Regents Grace with the

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Articles of the Aſſembly, for receiving his anſwer thereto, reported, His mind was to ride ſhortly toward the borders; and becauſe ſome of the articles craved the advice of the Council, which could not preſently be had, deſired therefore that the Kirk ſhould give commiſſion to ſome of the brethren to await upon his Grace and Council, and to reaſon and conferr upon the ſaid articles, and receive anſwer thereof. The Aſſembly of the Brethren ordaines the ſaid Commiſſioners, or ſo many as ſhall be preſent, to wait upon my Lord Regents Grace and Counſell, and to reaſon and conferr upon the ſaids articles, and to receive his anſwer thereof; and if either anſwer be not received, or that they be not preſent to receive the ſame, that they wait thereupon the firſt day of November next to come.

The brethren delated for not making reſidence at their kirks, and for waſting and dilapidation of their benefices, appointed to give anſwer this day, compeared. Mr George Monro his excuſe, that he might not travell at his kirk for deadly feed, was accepted. Mr Andrew Young denyed that he ſerved the kirks contained in his roll. Mr Patrick Dowglaſs granted he made no reſidence, be reaſon he had gotten nothing to ſerve for, and yet gave out a penſion to a bearn to hold him at the School; and ſicklyke ſett the gleeb in few. Mr Andrew Polwart ordained to ſerve at Paſlay, according to his promiſe made to the Biſhop of Glaſgow. C.]

The brethren appointit to reaſon and conferre vpon the functioun of the Biſchops as they are now in this realme, and if thair Chapiters appointit for creating of them, be tollerable, and to returne thair judgement to the Aſſemblie, gave in thair opinioun as after followes, in wryte, viz. They thinke it not expedient preſentlie to anſuer directlie to the firſt queſtioun; bot if any Biſchop be choſen who hes not ſick qualities as the Word of God requyres, let him be tryit be the Generall Aſſemblie de novo, and ſo depoſit.

The poyntis quherin they aggrie concerning the office of ane Biſchop or ane Superintendent.

Firſt, the name of Biſchop is commoun to all them that hes a particular flock over the quhilk he hes a peculiar charge, aſweill to preach the word as to miniſter the ſacraments, and to execute the eccleſiaſticall diſcipline with conſent of his elders; and this is his cheife functioun of the Word of God. Attour out of this number may be choſen ſome to have power

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to overſie and viſite ſick reaſonable bounds, beſydes his awin flocke, as the Generall Kirk ſall appoint; and in theſe bounds to appoint Miniſters, with the conſent of the Miniſters of that province, and the conſent of the flock to quhom they ſalbe appointit; and alſo to appoint Elders and Deacons in every principall congregation quher ther is none, with the conſent of the peiple therof; and to ſuſpend Miniſters for reaſonable cauſes, with conſent of the Miniſters forſaids.

[Anent the propoſition of my Lord Galloway to the Aſſembly, deſireing their reſolution, What is meaned be them be his ſuſpenſion, Whether he be ſuſpended from all preaching of the Word of God, as from all commiſſion within the Kirk: The Aſſembly of the Kirk declareth, That no fault they will find, that he will preach truely the Word of God, albeit he ſtand ſuſpended from commiſſion of viſitation; always exhorts him to concurre and help the Commiſſioner of Galloway in his viſitation, for keeping good order and diſcipline within theſe bounds. C.]

Queſtio. What puniſhment deſerves that Miniſter that maries perſons refuſed be thair ordinar Miniſter, and that in reſpect theykeipit open houſe together vncontractit, and wald obey no diſcipline; and quher there ordinar Miniſter deſyrit them to obey the diſcipline, they woundit him to the death; vpon the morne the ſaid Miniſter maried them, without ſatiſfactioun made to the Kirk for wounding thair Miniſter. A. Referres the puniſchment of this Miniſter to the puniſchment of Mr Patrick Creiche.

[Queſtio. Whether the contract of marriage uſed to be made before the proclamation of banns betwixt man and woman, ſhould be made be words of the preſent tyme, The man ſaying to the woman, I take thee to be my wife, and the woman ſaying to her huſband, I take thee to be my huſband; or ſhould there no contract or promiſe be made while the inſtant time of ſolemnization of the marriage. A. Let the order obſerved within the reformed Kirk of Scotland be keeped. C.] Parties to be maried ſould come before the Aſſemblie, and give in thair names, that thair bands may be proclaimit, and no farther ceremonies vſit.

[Queſtio. Whither if the Kirk, be the law of God, hath power to cognoſce and decern upon hereſies, witchcraft, blaſphemation of the name of God, and violation of the Sabbath day, eſpecially upon the quiditie thereof;

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or whither if the Criminal Judge ſhall give ſentence of death for ſuch crimes, before the Spiritual Judge decerne upon the quidditie thereof. C.] A. The Kirk hes power to diſcerne and cognoſce vpon hereſies, blaſphemation of Gods name, witchcraft, and violation of the Sabboth day, not prejudgeand the puniſhment of the civill magiſtrate.

[Q. When a bearn is gotten in inceſt, adultery or fornication, and the father is unknown fugitive, or will not recognoſce the bearn to be his, Whither ſhall this bearn be baptized without delay, or ſhall the baptiſme of it be deferred, till the father be found, and hold up his own bearn to baptiſme, and ſatiſfie the Kirk; ſeeing that the Kirk may lift no pains upon caution for ſuch cauſes. A. This queſtion would be conceived more diſtinctly.

Q. A man and a woman were in their pariſh kirk upon a Sunday, in preſence of ſundrie of the pariſhioners, publickly married, or hand faſt be the Reader, and thereafter have mutual cohabitation together at bed and board, as married folks ſo reput and holden: The Miniſter of the ſame kirk, at the womans deſire, a good ſpace thereafter, leads a forme of divorce betwixt them, in this manner: He calls the woman before him, and cauſeth her ſwear that her huſband had never carnal copulation with her, and thereupon, without aſking farther queſtion at the man, decernes them ſeparat and divorced from other, the man always diſſenting thereto, and ſtill claiming her to be his lawfull wife: Whither is this forme of divorcement allowable in a reformed Kirk that hath received the Evangel; and if it be not, What correction deſerveth the Miniſter, that uſurpeth and uſeth this manner of proceſs and judgment. A. This divorcement is not lawfull, and meriteth ſuſpenſion, and the Miniſter to make publick repentance.

Q. If it be expedient, that there be in notable towns and congregations the beſt learned Miniſters, and if there be not, that the ſame be reformed: That where men of good judgement are in ſome places, and their labours, as it were, loſt, they may be tranſported to places where they may better edifie; and others of ſmaller judgement repair to their places where they are intereſſed, to ſerve. A. Referres to the diſcretion of the Biſhops, Superintendents and Commiſſioners.

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Q. What ſhall the Miniſter do, who is required to marry a man that has committed adultery in his wifes tyme, now his wife is departed, and he hath ſatiſfied the Kirk therefore, and deſires to be married upon another woman that he had in his wives tyme. A. Ordaines to form this queſtion better.

Q. A woman hath committed inceſt with her mothers huſband, and hath ſatiſfied the Kirk therefor; and now the ſaid woman deſires to be married to another man, with whom ſhe has committed fornication, What ſhall the Miniſter doe in this caſe. A. Let this be formed better, and this to be moved to the Regent.

Q. Whither an officer of arms is to be admitted to be a reader in the Kirk. A. Thinks it not convenient. C.]

[Q. Whither a ȝong man, after he hes lyin with a ȝong woman that is efteimit a virgine, na marriage preceidand, nor promiſe alledgit be her, be compellit be any particular Kirk, at the ſute either of the woman or of the parents, either to marie her, or pay her tocher good. A. There is no law eſtabliſchit, that the man ſhould either marrie her or pay her tocher good. C. & B.]

Q. Whither if a Biſhop abſolutely, be his own authority, may change or tranſport Miniſters from kirk to kirk at his pleaſure, by their conſents, and of the Kirk where they ſerve, or not. A. He may with advice of his Aſſembly.

Q. Whither bairnes gottin aſoir marriage, the lawfull marriage following, are lawfull, or not. A. They are lawfull. C. & B.]

[Q. Whither if divorcement made by any other Commiſſars than the Commiſſars of Edinburgh, (the cauſes of divorcement being lawfully proven,) be lawfull or not. A. Impertinent. C.]

Q. What puniſhment ſalbe for ane Miniſter that baptizes ane murtherers bairne not of that paroch, on ane Monday not being ane day of preaching, and without repentance of the murtherer remainand at the Kings horne. A. He deſerves depoſitioun.

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[Q. A certaine man with his complices raviſheth, and violently taketh away a woman; thereafter marrieth the ſaid woman, without proclamation of bannes, neither ſolemnizes the marriage in face of the Kirk, but in privat houſe, Whether is the marriage lawfull; the bearnes begotten therein legittimat, or not; and what puniſhment to the Miniſter that ſo abuſeth marriage. A. Referres to the anſwer made before.

Q. Whereas great inconveniences follow upon the refuſal of certain Miniſters, to adminiſtrat the Sacrament of the Lords Supper on Paſche day, ſuch as the profanation of the ſame by privat perſons, in profane houſes, If it be lawfull for any Miniſter to ſatiſfie the peoples appetit thereinto. A. Where the day is ſuperſtitiouſly keeped, it is not thought meet that the Communion be miniſtred that day. C.]

Q. If it be lawfull for any Miniſter to diſpenſe with the number of dayes appointit for the repentance of inceſtuous and adulterous perſons, in reſpect that the lyke obedience cannot be obtainit in all places. Na anſuer.

Seſſio 7ª

[Anent the ſupplication given in to the General Aſſembly be Alexander Arbuthnet, making mention, that where it is not unknown to your Wiſdoms, what great work and charge I have interpriſed concerning the imprinting of the Bible; for accompliſhment whereof, your Wiſdoms underſtood, that the office of a corrector, his diligence and attendance therein is moſt neceſſar: And therefore I humbly deſire your Wiſdoms to requieſt my Lord Abbot of Dumfermline to licentiat Mr George Young his ſervant, whom I think moſt fitt to attend vpon the ſaid work of correctorie, to concurre and aſſiſt me during the tyme of my travell, to the effect that the notable work begune and interpriſed may be conſummat and perfyted in all points: The charges and expenſes of his travells I ſhall reaſonably deburſe, conform to your Wiſdoms diſcretion, ſo that the work may paſs foreward and be decent, as the honeſty of the ſame requires; whereunto I require your Wiſdoms diligent anſwer: And, in like manner, it is not unknown to your Wiſdoms, that for the furtherance of the ſame godly work tane on hand be me, the order is tane, that the Biſhops, Superinten-

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dents and Commiſſioners ſhould diligently travell for collecting, inbringing, and execution of the charge of our Soverane Lords letters direct to that effect: In conſideration whereof I earneſtly deſire your Wiſdoms to command and charge every Ordinar within his juriſdiction, to put the ſaid letters to due execution, and make me to be payed, conform to the tenor of the ſame, whereby the godly interpriſe of the ſamine may take full effect with expedition: And becauſe your Wiſdoms ſufficiently underſtand, that the concurrence of my Lord Fewar of Orknay ſhall greatly help to the expedition of the ſaid work within his Lordſhips bounds, I humbly deſire ſupplication and requieſt to be made to the ſaid Lord, that he would, within the bounds of his juriſdiction, cauſe obedience and payment be made, conform to the tenor of the ſaid letters; whereby I your Wiſdoms ſervitour ſhall pretermitt no kind of diligence, expenſes, or poſſible power in me lyeth, that ſo the ſaid godly work may take full furtherance and effect to the glory of God and the weale of his Kirk.

The ſaid ſupplication being read and conſidered be the ſaid Aſſembly, they all in one voice give commiſſion to the brethren appointed to preſent the articles to my Lord Regents Grace, to travell with my Lord Dumfermline for ſatiſfying the firſt article; and as concerning the reſt, willingly condeſcends to the ſame.

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A. D. M.D.LXXVI.

THE Generall Aſſemblie of the Kirk conveinit in the Ovir Tolbuith of Edinburgh, the 24 of Apryle 1576: Wher ther was preſent Lords, Baronis, the Biſchops of Glaſgow, Dumblane, Dunkeld, Roſſe, Brechine, Murray, Superintendents of Lowthiane and Angus, and Commiſſioners of Countreyes, Townes, Kirks, and Miniſters. Mr John Row, [Miniſter of Perth,] Moderatour.

Seſſio 1a.

[The Biſhop of Glaſgow removed, was delated, For not preaching in the toun of Glaſgow ſince he entered in his office, and alwiſe rare preaching, howbeit he was thought diligent in viſitation; 2. That no injunctions were given to adulterers delated to him, nor ſummoned to receive injunctions; 3. That kirks within his dioceſe were not repaired; 4. That he hath no particular flock; and 5thly, Being required before his removing be the Moderator, to render the commiſſion of viſitation he had in the hands of the Aſſembly, he anſwered not directly, but only, That he would do reaſon. Being called in again, he anſwered to the firſt, Preaching is the good gift of God, which is not equally beſtowed on all, and excuſed himſelf, that he was not ſo able, nor ſo liberally doted with underſtanding as others; always it cannot be denyed but that he preached, and eſpecialy at Govean and other kirks, and was willing to doe his duty: To the ſecond, If the particulars were expreſſed, he would anſwer, but remembers not that he hath failed, as that head purports: To the 3d, He granted the

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kirks are not repaired, and complains thereof as they do: To the 4th, That he received no particular flock in the entrie of his office, nor no queſtion was then moved thereupon; but if the Aſſembly think that he ſhould be aſtricted to a particular flock, he ſhould either obey the Ordinance of the Aſſembly therein, or give place to others: To the fyfth, If the Aſſembly findeth that the commiſſion which he hath, ſhould endure only from year to year, he is content with the cenſure of the Aſſemblie.

The Superintendent of Lothiane removed, was complained upon, For rare viſitations, notwithſtanding he had an act of the Aſſembly, for concurrence and aſſiſtance of ſuch as he would require thereto; next, That he had initiat the Biſhop of Roſs in the Abbay of Halyrudhous, being admoniſhed of the brethren not to doe it: Anſwered, That he had travelled in viſitation till Januar, and ſenſyne hath been ſick, and could not charge any of the brethren be reaſon of the evil weather: To the 2d, He grants his fault.

The Biſhop of Dumblane removed, complained upon, That he had not taught ſince his entrie to his office, nor yet makes reſidence, nor hath a particular flock: Anſwered, He had not yet received any fruicts of the benefice, hath been diſeaſed thir three weeks begane; alwiſe promiſeth amendement in time coming. Being demanded, If he would demitt the commiſſion of viſitation which he had of the Aſſembly, anſwered, He was content, if the Aſſembly thought it good.

The Biſhop of Murrey removed, was delated, firſt, That he had no particular flock; next, Charged be Mr Patrick Balfour, that his ſtipend, be the negligence of the Biſhop, is changed, and his name left blank in the rolls, and a dead perſon called James Sibbet put in the room of another, that he is not able to edifie the flock; He grants he hath no particular kirk: As for the rolls he ſall take order with the Clerk, that if any wrong be done, it may be reformed, and that there is no dead man placed in the books: Farther, He declared he was preſently under proceſs of horning, and, be the Regents Graces tollerance, came doun this day, to preſent himſelf to the Aſſembly. The Aſſembly, in reſpect of his own confeſſion, that he is at the horne, ordained him to be removed till he be relaxed.

The Biſhop of Roſſe being required to dimitt in the hands of the Aſſembly the juriſdiction of Viſitation, which he had of the Aſſemblie, condeſcended, and was exhorted to be diligent in viſitation.

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Seſſio 2a

Anent the action of accuſation led againſt Mr James Paton, called Biſhop of Dunkeld, for diminution of the rents of the Biſhoprick, be ſetting of a 19 year tack of 36 chalders of victual, for five ſhilling 8 pennies the boll, to the Erle of Argile, continued to this preſent Aſſemblie: The ſaid Biſhop being preſent in Aſſemblie, inquired, What he had done ſince the laſt Convention of the Kirk, for repairing of the ſaid fact, declared, It had pleaſed my Lord Regents Grace to commune with the ſaid Erle in the ſaid matter, who promiſed to his Grace and lykwiſe to himſelf, to ſatiſfie the Aſſembly therein, deſiring a delay thereof to his coming: which deſire being be vote of the Aſſembly refuſed, with his other ſute of delay, whill he conferred with the brethren appointed to that effect in the laſt Aſſemblie, in reſpect of the long continuation of tyme which he hath had ſince the laſt Generall Aſſembly, wherein he might have been ſufficiently provided, and have conſulted with the ſaid brethren, whoſe deliberation he, not the leſs, hath not ſought; the ſaid Aſſembly deſired, what defences he had, why the ſaid fact merits not deprivation, to propone the ſame, namely, in reſpect of the Act of the Generall Aſſembly made the 9 day of March 1569, Seſſio 8, againſt ſuch perſons as diminiſh the rents and fruits of their benefices: Which act being publickly read, the ſaid Biſhop alledged a certain obſcurity to ſtand in thir words of the act, "where the contraveners thereof are decerned to be deprived of their benefice;" deſiring the interpretation and meaning of the whole Kirk herein; which being, be the greateſt part of the Aſſembly, reſolved and interpret to be this, That the contraveeners of the ſaid act ſhall be deprived of their offices, and all that they have of the Kirk therethrough, ſo far as this lies in the power of the Kirk: The ſaid Biſhop alledged and propounded, That the ſaid act and execution thereof ſhould not ſtrike upon him, the ſame being unknown to him, and never coming to his ears, nor never publiſhed; That an ordinance of the Kirk was, that all the acts of the Kirk ſhould be reviſed, and ſuch as were found unmeet to be retained, to be tane away; of which number he knowes not if the ſame may be one: That the ſaid act means only of Miniſters, and of the ſetting of manſes and gleebs, and is not meaned of Biſhops; and laſt, The ſaid fact done by him proceeded upon a moſt juſt fear, which might fall on a moſt conſtant man,

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his houſe being beſeiged, and his ſon taken away. All which defences being at length heard and conſidered be the brethren, and the ſaid matter being profoundly and freely reaſoned be certain of the brethren, both of the Law of the eternal God, and upon the ſaid act, in utramque partem, Whither the ſaid fact merits deprivation, or not: The whole circumſtances of the fact, together with the confeſſion of the ſaid Biſhop weyed and rypely adviſed be the Aſſembly preſently conveened, having chiefly regard to the glory of the name of God, and his Son Jeſus Chriſt, for the moſt part reſolved and concluded, The ſaid Biſhop to have contraveened the tenor of the ſaid act, and therethrough to incurre the penaltie thereof, to wit, deprivation from his office, and that which he hath of the Kirk therethrough, ſo far as lyes in their power for ever. The ſaid Biſhop appealed from the ſaid ſentence verbo, to the Lords of Parliament.

This ſentence was thought meet be the Aſſembly, to be intimat to my Lord Regents Grace; and to that effect directed Mr David Lindſay, Miniſter of Leith, and Mr Patrick Cauſtean. C.]

Anent the pluralitie of offices objectit to Mr Robert Hamiltoun, Miniſter of Sanct Androes: The ſaid matter beand long debaittit with reaſons on every ſyde, and rypelie advyſit, the preſent Aſſembly, in reſpect of the circumſtance of place and congregation of Sanct Androes, Finds and declares the twa offices joynit in his perſon to be incompatabill in him. [Mr Patrick Auchinleck, Commiſſioner for the toun of Sanct Andrews, proteſted in name thereof, That this ſentence prejudge not the toun of Sanct Andrews, nor ingender any prejudice to them touching their Miniſter, without they be called and heard.

Conforme to the order taken in the laſt Aſſembly, for calling and ſummoning of perſons delated for non reſidence, and dilapidation of their benefices, within every province, and for ſuch as were then preſent and delated: The Aſſembly commandeth Mr James Hering, either to ſerve and make reſidence at his kirk, or elſe to dimitt his benefice. The perſons with whom the Biſhops, Superintendents and Commiſſioners had taken order with, conform to the ordinance of the Aſſembly; James Stirline and John Kinnaird excommunicat be the Biſhop of Glaſgow; Mr John Rynd his accuſation found to be untrue; Mr John Colvill ſummoned be the Viſiter to compear upon Fryday; Andrew Spence had not obtained his Manſe, yet uſed reading in my Lord Forbes his houſe; Mr William M'Gown, William Boile and James Stewart ordained to be

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charged be their Commiſſioners reſpectivè, to enter to their charges, and make reſidence at their kirks, as becometh them.

Mr David Lindſay and Mr Patrick Adamſon returned from my Lord Regents Grace, with his Graces anſwer concerning the Biſhop of Dunkeld, That the Kirk hath proceeded againſt him, and deprived him worthilie for his offence, he could find no fault therein; yet his deſire is, that a policie and univerſal order were eſtabliſhed in the Kirk, for ſuch and other proceedings; and to that effect, ſuch things are were penned in that argument in the laſt conference, ſhould be reviſed and ſeen; or that, with ſome of the Counſell, if the heads conceived before miſlyked them, they ſhould ſitt doun and penne other heads; or elſe, themſelves to ſett doun and deviſe the ſaid policie, to be preſented to his Grace, that lawes may paſs thereupon. In this mean tyme, in caſe of the ſaid Biſhops complaint upon the Kirk to the Counſel, that ſome of the learned be depute be the Aſſembly, to await upon the Counſel, and to reaſone the matter formalie.

The Generall Aſſembly hath deſired the honourable men and brethren underwritten, to adviſe what anſwer ſhall be given to my Lord Regents Graces deſire herein, to wit, the Lairds of Lochlevin, Wedderburne and Braid, with the Biſhop of Glaſgow, the Laird of Dun, Mr Robert Pont, Mr Andrew Melvill, Mr Clement Littill, Mr James Lowſon, Mr Alexander Arbuthnet, Mr John Craig, Mr Patrick Adamſon, Mr David Lindſay; and to that effect to conveen in the kirk, the morne at ſix hours, and report their advice to the Aſſembly. C.]

Anent the advyſe and opinioun of the brethren given in, in the laſt Aſſemblie, concerning the queſtioun movit, Whither if Biſhops, as they are now in Scotland, hes thair functioun of the word of God: The haill Aſſemblie, for the greateſt part, after reaſoning and long diſputation vpon every article of the ſaids brethrens opinioun and advyſe, reſolutelie approvit and affirmit the ſame, and every article thereof, as the ſame is given be them; quherof alſo the tenour is heir reportit.

Firſt, the name of Biſchop is commoun to all them that hes a particular flock, over quhilk he hes a particular charge, aſweill to preach the word as to miniſter the ſacraments, and to execute the eccleſiaſticall diſcipline with conſent of his elders; and this is his cheiſe functioun in the word of God.

Attour of the number may be choſin ſome to have power to viſite and

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overſie ſick reaſonable bounds beſyd his awin flock, as the Generall Kirk ſall appoint, and in theſe bounds to appoint Miniſters, with conſent of the Miniſters of that province, and the conſent of that flock to quhom they ſalbe appointit; aſweill to appoint Elders and Deacons in every particular congregation quher ther is none, with conſent of the peiple thereof; and to ſuſpend Miniſters for reaſonable cauſes, with conſent of the Miniſters forſaids: And to the effect that the ſaids articles condiſcendit vpon be the ſaid Kirk, may be the better followit out, and readie executioun enſewit thervpon as appertaineth, Ordaines the Biſchops, quho hes not ȝit receivit the charge of a particular congregation, to condiſcend, on the morne, quhat particular flocks they will accept to take the cure therof.

Seſſio 4ª

[Forſamekle as the great and intollerable burden lying to the charge of Biſhops, Superintendents and Commiſſioners, is, and hath been the very cauſe, that the whole Kirk within thir bounds could not be duely overſeen, conſequently good diſcipline unexerciſed within the ſame for lack of viſitation: Therefore it is thought meet, that ſuch bounds be appointed to every Commiſſioner and Viſitor, as may be duely viſit and overſeen be every one of them; and to that effect the Aſſembly preſent hath elected the Commiſſioners of Countries with the perſons joyned to them under named, to conveen at extraordinar hours to make a proper diſtribution and diviſion of the whole bounds of this realme, and to give in writt their opinions and judgement how every bounds may be beſt viſited, to the morne at nine hours.

The Names of the ſaid perſons follow,—

For Galloway.

John Duncanſon.
Mr James Fothringhame.
The Laird of Gadȝeart.

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For Nithisdaill and Annandale.

Peter Watſon.
John Fullerton.
Lyon Brown.
Mr John Porterfield.
Mr Andrew Polwart.

For Tiviotdaill.

Mr Andrew Clayhills.
The Laird of Fawdounſide.

For Tuedale.

John Brand and
The Laird of Traquair.

For Lothian and Merce.

The Superintendent of Lothian.
Mr David Lindſay.
The Laird of Braid.
The Laird of Spott.
David Hume.
William Hume.

For Fife.

The Rector of St Andrews.
Patrick Weems.
Patrick Kinninmonth.
Mr James Wilkie.

For Dunblane.

The Biſhop of Dunblane.
Mr William Stirline.
Robert Graham.

For Stratherne.

The Laird of Craigie,
Adie, and Strathurer.

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Archibald Hering.
Mr John Row.
Andrew Merſer.

For Air.

The Biſhop of Glaſgow.
Mr John Young.
George Campbell.
The Miniſter of Air.
Mr David Cuninghame.

For Cliddisdale.

Mr Andrew Hay.
Mr David Cunninghame.

For Angus, Mernes, Stormont and Gowrie.

The Laird of Dun.
William Chriſteſon.
Mr Andrew Mylne.
The young Laird of Dun.
James Anderſon.

For Aberdeen and Bamf.

Mr John Craig.
The Principal of Aberdeen.
The Laird of Craig.
The Laird of Innertowchie.
Mr Gilbert Gairdin.

For Murrey.

Mr Robert Pont.
Mr John Keith.
Patrick Balfour.

For Ross.

The Biſhop of Roſſe.

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Robert Graham.
Mr John Monro.

For Cathness.

Adam Davidſon.
Robert Graham.

For order to be tane with the parts of Argile, ordaines Mr Andrew Hay to deſire my Lord Argile to be preſent in the Aſſembly: and ſicklyk ordaines the Rector of Sanct Andrews, Mr John Row, Mr Patrick Adamſon, Mr Alexander Arbuthnet and Mr Andrew Melvill, to paſs to my Lord Regents Grace, and declare to him the proceedings of the Kirk in this matter, the morne at ſeven hours.

Anent the lamentable writing direct from the French Kirk exiled in England to the Kirk of Scotland, bewailing their ſorrowfull eſtate and condition, and deſiring the almes collected be the brethren to be ſent to them: The whole Aſſembly, after reading of the ſaid writting, with the procurator of the ſaid exiled brethren direct for receiving of the ſaid contribution, being inwardly touched with the ſorrow of their brethren grievouſly borne at under with the hard dart of neceſſity, willing, with all heartie and tender affection, to utter their brotherly care toward them, has ordained the ſummes already collected to be delivered and ſent away to them, with ſuch ſecuritie as ſhall be deviſed be their brethren, Mr James Lowſon, Miniſter of Edinburgh, and Mr David Lindſay, Miniſter of Leith: And, in the mean tyme, becaus a great part hath promiſed their charitable almes, which is not yet performed, ordaines the Biſhops, Superintendents and Commiſſioners of Countries to labour earneſtly at their hands, for inbringing of the ſamen within 20 days next thereafter, and what is ingathered to deliver the ſame to Mr James Lowſon, Miniſter of Edinburgh; and a general writting to be framed be Mr David Lindſay to this effect.

The brethren appointed to conceive and forme the power and juriſdiction which ſhall be given be the Kirk to the Viſitors of Countries, gave in their judgement and advice therein, which was allowed and approved of the whole Aſſembly: The tenor whereof followeth.

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Articles concerning the Office of Viſitors.

That he call the reſt of the Miniſters together within the bounds of his viſitation, as alſo to hold Synodall Aſſemblies, to be Moderator there, to try the Miniſters, and have the overſight of the ſchooles; and he to be tried be this Aſſemblie: To propone the matters that are to be conſulted of, to gather the votes, and declare what is found be votes.

He ſhall have the overſight of all the particular Kirks within the bounds of his viſitation, and Miniſters thereof, that every one of the Miniſters exerce their own vocation diligently with their own congregations, and in the bounds of his viſitation; to appoint Miniſters with advice of the Miniſtrie of the Province, aſſembled in the Provincial Aſſemblyes, at the leaſt ſix of the beſt learned within his bounds, or in laiking of that, of the next adjacent, to be choſen in the Synodal Aſſemblie, with the conſent of the people to whom he ſhall be appointed Miniſter: and that becaus the power ſtands not in the Viſiter, but in the Kirk, as to the ſuſpenſion or depoſition of any Miniſter from his office, the ſamen ſall be done be the Viſiter and Miniſtrie in the ſaid Synodal Aſſemblies, the caus being there tried, particular intimation being made to his particular congregation to be preſent; except ſome urgent cauſe occurre, that it be neceſſar to doe the ſame with ſhort advice; as if the Miniſter committ ſome notorious crime, whereby he cannot be longer retained in his office: In the which caus the Viſiter may conveen them that are upon the exerciſe in that Province, and they with him, and the Seſſion of the particular Kirk, to proceed to ſuſpenſion be the lawfull tryal of the offence.

Upon the preſentations of Patrons to the Viſiter, he, with conſent of the Synodall Aſſembly of his Province, ſall give his letters teſtimonial to him that is preſented, lawfull impediments being tane away, at the leaſt with advice of ſix Miniſters within his bounds, or in lacking that, of the next adjacent, to be choſen in the Synodal Aſſembly, providing always that the conſent of the flock where he ſhould be appointed be had, or elſe a reaſonable caus be them ſhowen why not; and in caſe he had been a Miniſter before, he to receive his letters teſtimonials upon the preſentation, with the advice of the Miniſters of the Exerciſe within that Province; and none to give collation of any benefice without the bounds appointed to him be Commiſſion of the Kirk.

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That an admonition be made to all Miniſters, that unadviſedly they proceed not to excommunicat; and if difficultie ariſe herein, that the Viſiter and the reſt of the countrie be adviſed with; and ſicklyk in abſolution.

Where there is not Eccleſia bene conſtituta, that he travell to conſtitute it.

That he take head to the keeping of Exerciſe, repairing of kirks, kirk yairds, deſignation of manſes and gleebs, and all other charges pertaining ad decorum Eccleſiæ, and granted to the Kirk be the Lawes of the Countrie.

For reading and anſwering of bills and ſupplications, to be given in to this preſent Aſſembly, and, ſicklyke, for reviewing of the books of Viſitation, the Kirk deputes their brethren underwritten: They are to ſay, Mr Robert Hamiltoun, Mr Alexander Arbuthnet, Mr Andrew Melvill, Mr John Craig, Mr Gilbert Gairdin, Mr Andrew Cuningham, Mr Andrew Polwart, John Brand, Mr John Duncanſon, Mr Andrew Clayhills, to conveen every day in the morning, till the ſame be anſwered and reviewed.

To the queſtion moved, If a Biſhop, Superintendent or Commiſſioner of a Countrie may remove a Reader from a kirk, he being lawfully placed thereat, without a juſt cauſe: It was anſwered be the Aſſemblie, That he may not be removed be them, without a juſt cauſe.

Seſſio 5ª

According to the order taken the day preceeding, the brethren and others appointed to the limitation of the bounds to be committed to the Viſiters of Countries, gave in their judgment, how they might be beſt and moſt commodiouſly viſited; wherewith the Aſſembly being adviſed, divided the bounds to the Viſiters underwritten, as after followes:—

To Mr Gilbert Foulſie, Mr James Annand,	Orknay and Zetland.
The Biſhop of Roſs, and his particular Kirk to be Channonrie of Roſs, of his own conſent,	Roſs.
Mr George Hay, - -	Cathneſs.
The Biſhop of Murray with aſſiſtance of Mr George Hay, as he may,	Murrey.

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Mr Gilbert Gairdin :—Aberdeen and Bamff, the Kirks of Boyn and Buchan from Etham, not exeeming Mr George Hay his Kirk.

Mr John Craig :—The Laigh of Marr and Garrioch, with the Kirks of the Mernes beyond the Munt upon the water of Dee.

John Strathawechin :—The High of Marr and Garrioch, with Mr George Hay his kirk.

The Laird of Dun,
William Chriſteſon,
James Anderſon, } Angus and Merns.

Mr John Row, with the aſſiſtance of Duncan M'Aula :—The bounds of Dunkeld, with the kirks of Sanct Andrews within Strathern, except the kirks of Dunkell within Fife and Angus, committed to the Viſiters thereof.

The Biſhop of Dumblane :—Dumblane, and the Kirk of Dumblane to be his particular kirk, of his own conſent.

Mr John Winrame with ſuch others as he ſhall chuſe, with advice of the Commiſſioners that are to paſs to Sanct Andrews :—Fife from Sanct Andrews to Leven.

David Ferguſon :—From Leven to Cambuſkenneth, the kirks of the Dioceſe of Sanct Andrews, from Forth to Tay on both ſides, to Newburgh, and therefra weſt, on the South ſide of the Ochills, the kirks of Sanct Andrews and Dunkeld.

The Superintendent of Lothian,
Mr James Lowſon, } From Stirline to the Water of Leith.

Mr David Lindſay :—From the Water of Leith to Cockburnes Peth inclusive.

John Clapperton, Miniſter of Coldſtreem :—Of Merce and Lamermuir.

Mr Andrew Clayhills :—For Tiviotdaill.

John Brand :—For Tueddall.

Mr Andrew Hay,
Mr David Cuningham, } For Cliddiſdail, Renfrew, and Lennox.

Mr Peter Watſon :—For Nithiſdale and Annandale.

Mr John Duncanſon :—For Galloway.

The Biſchop of Glaſgow being inquired, If he would accept of a particular charge and flock, or not, gave in his anſwer in writt to the Aſſembly, That he is content, while the next Aſſemblie, unbound to travel with ſome

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ſeveral pariſhes, at ſuch tyme as his leaſure and other neceſſar cauſes will permit, provyding he be not aſtricted to the ſaid congregation; and at the next Aſſembly he ſall give his anſwer, whither he will accept a particular flock or not: and if he refuſe, the Kirk not to reprove him for his laſt promiſe; and if he accept one, the ſamen ſall be at his own option, and ſall have another to aſſiſt him in the Miniſtrie of the ſaid flock, becauſe of his viſitations and other charges: And alſo that the ſaid Biſhop ſhall not be precluded of his office accuſtomed in the reſt of the parts of his Diocie, and ſervice of the King, conform to the firſt admiſſion; and deſired thir things to be allowed be the Aſſemblie now preſent. The Generall Aſſemblie continues him in the office of Viſitation of the bounds which he had before, to their next Aſſemblie. C.]

Mr James Lowſon, Robert Pont, Alexander Arbuthnet, William Chriſteſon, Johne Row and Johne Craig, with the Laird of Dun, are ordainit Commiſſioners to viſite the Colledges of the Vniverſitie of Sanct Androes, and to conſidder the ſame, the maner and the eſtate therof; and quhat they find to report to the nixt Aſſemblie.

[Anent the queſtion moved in the Aſſemblie, Whither if the Aſſembly may proceed againſt the unjuſt poſſeſſors of the patrimony of the Kirk and the poor, or not; and if they may proceed, how far they may: For anſwering directly and formally hereto, the Aſſembly thought meet; firſt, it ſhould be reaſoned and diſputed, If the Aſſembly may proceed againſt ſuch perſons, unjuſt poſſeſſors of the ſaid Patrimony of the Kirk; and after debating of the argument on either ſide, C.] The haill Aſſemblie concludit affirmativè, That they may proceid againſt unjuſt poſſeſſours of the Patrimonie of the Kirk, in reſpect of the notorious ſlander; [and that as upon ſlander,] and ſicklyke, that they proceid againſt them be doctrine and admonitioun; and laſt of all, if no remeid beis, with the cenſures of the Kirk: and farther, that the Patrimonie of the Kirk, quhervpon the Kirk, the poore, the ſchooles ſould be ſuſtainit, is ex jure divino; leivand the farther diſputation of this matter to the firſt day of May nixt; and then the deſcription of the Patrimonie of the Kirk to be inquyrit at that day, and farther reaſoning had for full reſolution of the queſtioun.

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Seſſio 7ª

[Forſameikle as there are diverſe queſtions and difficulties moved, and proponed to this Aſſemblie, whereof the full and finall reſolution, be reaſon of the ſhortneſs of the continuance of this Aſſembly, cannot preſently be had, it is thought meet, That a copy of the ſaids queſtions be delivered to the Biſhops, Superintendents and Viſiters of Countries, to be propounded and adviſed in their Provinciall Conventioun, and reported again to the next Generall Aſſemblie.

The Biſhop of Murrey, required be the Aſſembly to give proof of his doctrine be the brethren, declared, That he was content to give ſpecimen and proof of his underſtanding, in the toun of Aberdeen, Dundie, or Murrey, before Mr John Craig, Miniſter of Aberdeen, and Mr Alexander Arbuthnet. The Aſſembly ordaines him to give the proof of his teaching before the ſaids perſons, in their Provincial Aſſemblie next to come in Aberdeen, and the ſaid brethren to report their judgment and opinion thereof to the next Generall Aſſembly: Farther, the ſaid Biſhop, at the will and ſight of the ſaid Aſſemblie, was content to accept the cure of a particular flock. C.]

[Ordained their brethren, Mr Robert Pont, Proveſt of the Trinitie Colledge, Mr James Lowſon, Miniſter of Edinburgh, Mr Alexander Arbuthnet, Principal of the Colledge of Aberdeen, Mr Andrew Hay, Perſon of Renfrew, Mr David Lindſay, Miniſter of Leith, to review and overſie the book wrytin be their brother, Mr George Hay, contra Tyrie, and to conſider and try the ſaid work; and what judgment or opinion they conceive, the ſamen to propound to the next Aſſemblie of the brethren. C. & B.]

[Anent the demand of Mr Andrew Hay, Perſon of Renfrew, If every Viſitor within his own bounds hath like power and juriſdiction to plant Miniſters, ſuſpend or depoſe for reaſonable cauſes: The Aſſemblie reſolved affirmativé, That they have a like power and juriſdiction therein, as is contained in the particular articles printed concerning the juriſdiction of the Viſitors.

Forſameikle as it is heaviely deplored and lamented be certain of the godly brethren, That the Countrie, in all quarters thereof, is miſerably divided in factions and deadly feed, in ſo much as the pariſhoners, for fear

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and ſuſpicion which they have of others, dar not reſort to their pariſh kirks, to hear the word of unity preached, nor to receive the ſacrament and ſeals of their ſalvation; quherof riſeth a ſhamefull and inſufferable ſlander to the Kirk of God, and his true religion within this realme: It is therefore thought good, and concluded univerſally, That the Viſitors of the Countries in all parts zealouſly ſhall endeavour themſelves, and travell with parties, to reduce and bring them to a chriſtian unitie and brotherly concord, as becometh the brethren and members of Jeſus Chriſt; exhorting them, as they tender the ſalvation and well of their own ſouls, to be at a heartie concord one with another, that the bleſſing which is pronunced for the peaceable may be imparted and given to them; and ſlander and offence ariſeing to the Kirk through the occaſion of their ungodly factions, may be cutt off and removed. C.]

[For making an overture of the policie and juriſdiction of the Kirk, and uttering the plain and ſimple meaning of the Aſſemblie therein, the Aſſembly preſent hath moved and requieſted their brethren underwritten, to travell and take pains to reaſon and conferr upon the heads of the ſaid argument, and to deliberat gravely and circumſpectly thereupon, that they report their opinions adviſedly to the next General Aſſembly, that is to ſay, For the Weſt Countrey, the Biſchop of Glaſgow, Mrs Andro Melvill, Andro Hay, James Greige, David Cunighame; for Lowthiane, Mrs Robert Pont, James Lowſone, David Lindſay, Clement Litle and Alexander Syme; for Fyffe, The Superintendent therof, with the principall Maſters of the Vniverſitie; for Angus and Mernes, the Laird of Dun, William Chriſteſon, Johne Row, William Rynd, Johne Duncanſone; for Aberdeen, Mr Johne Craig, Alexander Arbuthnet, George Hay: and thir perſons to conveine ilk countrey and rank in the places following, viz. The Weſt in Glaſgow; Lowthiane in Edinburgh; Fyſe in Sanct Androes; Angus in Montrois, the firſt Tueſday of Junij next to come, to conferre and advyſe vpon the ſaid matter, and make generall meiting and conventioun, twa or ane at leaſt, of ilk countrey above wrytin, in Stirling, the laſt of Julij therafter, to communicat and cognoſce vpon thair haill travells and labours taken heirin, and to conferre vniverſallie heirvpon together, and report quhat they have found and conceivit in the ſaid matter, to the nixt Aſſemblie quhilk is appointit to be in Edinburgh the 24 of October nixt to come, in cace no Parliament: and in cace of a Parliament,

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the Kirk ordaines the Miniſters of Edinburgh to make intimatioun therof to the Biſchops, Superintendents and Viſitors of countreyis, that the Kirk may be conveinit foure dayes befor the ſaid Parliament, and that the Barrones and gentlemen be exhortit to be preſent with the Commiſſioners appointit in the Provinciall Aſſemblies. C. & B.]

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A. D. M.D.LXXVI.

THE Generall Aſſemblie conveinit at Edinburgh, the xxiiij day of October 1576: Wher there was preſent the Biſchops of Glaſgow and Dumblane, Superintendents, Commiſſioners of Provinces, Townes, and Vniverſities. Mr John Craig [Miniſter of Aberdeen] Moderatour.

Seſſio 1ª

[In the tryal of Biſhops, Superintendents and Commiſſioners, Mr Andrew Clayhills, Commiſſioner of Tiviotdale, was complained upon, That, after he had diſcharged the Miniſter of Ankrom to baptize a mans child, who had an idol in his houſe, he himſelf came after, and cauſed the ſaid Miniſter to paſs out of his pulpit, and baptized the bearne, whereupon a ſhiſme followed in his congregation: 2dly, He had refuſed to give forth an edict, as the Synodall Aſſembly had ordained, to ſummond perſons who had not repaired to the Communion: 3dly, He would not be tryed be the Synodall Aſſemblie, as they were be him, but ſaid that he would be ſuperior over them: Fourthly, That he reſtored two Readers who were ſuſpended be the ſaid Aſſembly, within eight days after their ſuſpenſion, without their advice. To the firſt, he anſwered, He baptized the ſaid bearn, becaus after that George Johnſton, Miniſter, had refuſed to baptize him at his command, the woman who bear the bearn, conceived diſpleaſure and dyed; whereupon her huſband conceived a deadly feed againſt the Miniſter, and would not ſuffer him to baptize the bearne; alwiſe, after

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promiſe taken to put away his idol, for eſhewing of greater inconvenience, he baptized the bearn. The 2d and 3d he denyed. As to the laſt, He reſtored the Reader with conſent of the brethren.

Mr George Hay, Commiſſioner of Cathneſs, at the deſire of the Aſſembly, rendered up his commiſſion, as alſo did the reſt of the Commiſſioners who were preſent. Mr Andrew Hay, John Duncanſon, Mr Peter Watſon, Mr John Row, were not only willing to give up their commiſſions, but alſo craved to be exhonered thereof. C.]

Mr John Row, David Lindeſay, Patrick Adamſone, were directit fra the Aſſemblie to ſute my Lord Regents Graces preſence at this Convention, or vthers authorizit with his commiſſioun.

Seſſio 2a

[The brethren directed to my Lord Regents Grace] reportit, That the charge of the Kirk came ſo ſuddenlie [to him] that he could not be preſent, nor addreſſe his Commiſſioners thereto: Alwayes, if the Kirk thinks meitt, he ſall appoint certaine of the Counſell to conveine with the Commiſſioners quhilk the Kirk ſall appoint, at ſick tymes as the Kirk ſall think good, to conferre vpon ſick things as may further the glorie of God.

[Forſamekle as the Aſſembly preceeding had given commiſſion to ſome of the brethren to conſult upon the matter of the Policie of the Kirk, and to report their judgment contained formalie in writt to this Aſſemblie, wherein ſome travels have been taken be the brethren, and ſomething penned: C.] It is thoght good be the Kirk, That ſick things as are alreadie pennit anent the Policie of the Kirk, as was ordainit be the laſt Aſſemblie, ſould be reviſit, and vther things quhilk ſalbe preſentlie given in, ſightit and put in good forme [and order:] And to that effect the Kirk requeiſts my Lord Chancellar, the Laird of Lundie, Mr Andro Hay, Andro Melvill, James Lowſone, Johne Durie, Robert Pont, James Wilkie, Rector of the Vniverſitie of Sanct Androes, Johne Row, George Hay, Clement Litle, to conveine at afternoone, and daylie dureand the Aſſemblie, at ſick hours as they aggrie vpon, to conferre vpon the things already pennit, with vthers quhilk wilbe given in, and advyſe therevpon, collect together in good forme, and preſent the ſame to the Aſſemblie, befor the diſſolving therof.

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Becauſe of the multitude of the bookes of Commiſſionars quhilks are to be examinat in the Generall Aſſemblies, and large tyme ſpendit therin; beſyd ſick as are deput thereto knows not the proceidings of the ſaids Commiſſioners ſa weill as thair Synodall Aſſemblies: Therfor, it is decreit and ſtatute be the Kirk preſent, That the bookes of the Viſitors and Commiſſioners be tryit and ſein in there Synodall Aſſemblies, and ſubſcryvit be the Clerks therof, and the moſt part of the ſaid Aſſemblie, and reportit againe to ilk Generall Aſſemblie be the Commiſſioners, that the Kirk may conſider thair diligence in thair offices.

[The Aſſembly remembring the Biſhop of Murrey his admiſſion to ſtand yet under queſtion, and that he, with his Chapter, was ordained to have been ſummoned to ſundrie Aſſemblies, to have heard trial taken of the ſaid proceſs, with certification, if they compeared not, the ſamen ſhould be declared null and void in itſelf in tymes coming, and yet nothing done, hath ordained ſummonds to be direct, ſummoning him, with the Chapter foreſaid, To produce the ſaid proceſs, and hear trial taken therein, the ſecond day of the next Aſſembly, with certification, if they compeared not, the ſame ſhall be declared null and void in the ſelf in times coming; to be execut be their brethren, Mr George Hay, &c.

Forſamekle as the diſhaunting and intermiſſion of Exerciſe almoſt every where is greatly lamented, and the chief reaſon thereof is for lack of penaltie and puniſhment of ſuch as either ſhould propheſie themſelves, or occupy the ſecond place of Addition: Therefore C.] The Aſſemblie preſent hes [thought meet and] ordainit, That all Miniſters and Reidars within aught myles, or vtherwayes at the good diſcretioun of the Viſitor, ſall reſort to the place of Exerciſe ilk day of Exerciſe, and namelie the Miniſters that ſould prophecie, and that ſould adde: Quherin if either of theſe two failzie, That, for the firſt fault, in preſence of the brethren of the Exerciſe, vpon thair knees they confeſſe thair offence; That, for the ſecond, they make the lyke ſubmiſſioun befor the Synodall Aſſemblie; if they incurre the thrid, That they be ſummoned befor the Generall Aſſembly, and receive diſcipline for their offence; and if they fall in the fourth fault, That they be depryvit of thair offices and functiouns of the Miniſtrie.

The Kirk gives commiſſion to the Laird of Dunne to ſummound Mr James Fotheringame befor him, and to take tryall of the ſlander of haynous adulterie betuixt him and Margret Lindeſay, and of ane pretendit mariage

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alledgit ſolemnizat and compleit betuixt them, and to report his proceiding heirintill to the next Generall Aſſemblie; with power alſo to him, to charge the ſaid Mr James and Margret Lindeſay to ſeparate themſelves fra vther, quhill tryall be takin of the ſaid ſlander, under the paine of excommunication; and if they diſſobey, to excommunicat them: And, in the meane tyme, in reſpect of the contempt of the Kirk, in not making his purgatioun of the ſaid ſlander befor the ſaid Superintendent, being thereto ſummoned, the Aſſemblie preſent ſuſpends him fra all functioun and office within the Kirk.

Seſſio 3ª.

Anent the propoſitioun of certaine brethren of the Aſſemblie, declarand that the Regents Grace hes preſentit Mr Patrick Adamſone to the Biſhoprick of Sanct Androes, and that, be the ordinance of the Aſſemblie, Biſchops ſould be tryit befor them, befor they be admittit be the Chapter, Requyreand both the counſell and advyſe of the Kirk herein: The ſaid Mr Patrick being preſent anſuerit, That my Lord Regents Grace had diſchargeit him to proceid farther in this matter, in reſpect the ſaid act and ordinance of the Kirk is not accordit on; and therfor he wald not midle farther and make inſtance therein; quhilk anſuer the Kirk thocht ſould be given be the Chapter to my Lord Regents Grace.

Seſſio 4ª.

[The Aſſembly thought meet, that Mr Patrick Adamſon, Mr John Row and Mr David Lindſay notifie to the Regents Grace the order to be taken for the Viſitors of Countries, and what number the Aſſembly thinks good, according to the diviſion of the bounds, with the names of the Viſitors, if he ſhall require; deſiring proviſion to be made for them, and to returne his Graces anſuer again.

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Seſſio 5a

The brethren direct to the Regents Grace, to know his Graces will concerning the Viſitors, returned his anſwer, That he would be adviſed with the rolls and the Collectour. C. & B.]

[The Aſſembly continueth all the Commiſſioners that were appointed in the laſt Aſſemblie, except Mr John Gairdin, in their offices till the next Aſſembly; and in place of the ſaid Mr John Gardin, gives commiſſion to John Vre to viſit the bounds appointit to the ſaid Mr John of before.

Mr Andrew Hay proteſted, That he be not obliſhed to farther than he may doe reaſonably upon his own expenſes, otherwayes accepteth not the commiſſion.

The ſame day, C.] Alexander Hay, Clark to the Secreit Counſell, preſentit to the Aſſemblie certaine queſtiouns, quherof he craveit deciſion for the better expedition of the platt; declaring it to be my Lord Regents Graces will, at the leaſt ſo many as now may [goodly] have reſolutioun; [that others of greater importance and difficulty be reſerved to better opportunitie.]

[The Queſtions are not extant in the Regiſter of the Aſſembly, but the tenour of them found in a certain copy, followeth:—

1. Ought there to be any degrees of dignitie, and order among Miniſters, in reſpect of learning, age, or places where they make reſidence.

2. May Elders, Deacons, Miniſters once elected, and accepting the charge, leave the ſame again during their lifetyme.

3. Shall the order of the Elders and Deacons be alike in every pariſh, as well without burgh, as within; in little pariſhes, as mekle; as well where there wants a Miniſter, as where there is one; ſall their power and authority be in every particular pariſh alike, and their number alike.

4. Ought any teinds or dueties be fought from the parochiners that want miniſtration.

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5. Refteth the power of excommunication with the Minifter, Elders and Deacons of every particular Kirk; or is it requifit, That they receive advice and direction thereanent from the Archbifhop, Bifhop, Superintendent, Commiffioner or Vifitor of the Diocie.

6. How many of their names and offices are tolerable in Gods Kirk; and what is the difference between them.

7. Shall he that overfeeth the other Minifters, whether he be provided for term of life, or for a tyme, do things him alone, or fhall he have any Counfell, Affeffors or Chapter.

8. How far may the Minifters, Elders and Deacons of every particular kirk and parifh proceed; and in what caufes.

9. What caufe properly belongs to the decifion of the particular Affembly of any Diocie, Shyre or Province; who are fubject to conveen thereto, how oft, and at what places.

10. How many Generall Affemblies ought to be within a kingdom; be whom they fhould be convocat; for what caufe; what forme of fummoning and of proceeding; who fall be Prefident; and how many fall have power of voting; upon what matters may the Generall Affemblie intreat; what executions and pains upon the acts and decreets; what perfons ought ordinarly to be prefent thereat; what paines againft them that ought to come, and abfent themfelves; how far may be proceeded, in cafe the greateft part that fhould come, compear not; and whether may the fewer number conveening, give law to the greater being abfent.

11. Who fall occupie the place of the Eccleiaftical Eftate in the Kings Parliaments, Conventions and Counfels, and how many.

12. What is the proper patrimonie of the Kirk.

13. Sall all Minifters livings be alyke in quantitie, becaufe they are thought to be alike in dignitie.

14. He who is thought worthy to preach the word and minifter the facraments, Is he not alfo worthy to be promoved to any benefice, feing it is thought there is no preferment of dignitie among Minifters in refpect of anie qualitie.

15. Sall benefices be conferred to particular Minifters in title, or fall the rents of all come to a common collection, and be diftributed at the difcretion of the General Affemblie of the Diocie.

16. Shall the Dioceſe, or provinces and the paroiches continue accord-

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ing to the preſent diviſion of them; or if there appeareth any alteration requiſit, be whoſe authority ought it to be done.

17. What are the cauſes, and what fall be the manner of ſuſpenſion and deprivation of perſons being in the Miniſtrie from their functions and livings, and whether ſhall the proceſs . . . . . or ſhall the perſon accuſed have a lybell to anſwer unto, and what execution ſall follow upon the ſentence.

18. Shall depoſition from the office and function induce alſo deprivation from the benefice and living, and what forme of proceſs in that behalf.

19. Whether dilapidation of the rents of the benefices, non reſidence, pluralities, committing of ſlaughter, adultery, ſimony and ſuch deteſtable crimes deſerve deprivation of perſons provyded to benefices, and what manner of judgment therefore.

20. What is Simonie.

21. If non reſidence of perſons bruiking benefices, and occupying of ordinary offices in the Kirk, merits deprivation, why ſhould not the order as well extend to them provyded of old, as to them provided ſince the Kings coronation, conſidering whatever is unlawfull againſt conſcience, and contrar the will of God at this preſent, hath been wrong and unjuſt in all times preceeding; and the longer unjuſt poſſeſſion continues, it heapeth the greater damnation upon the poſſeſſors.

22. Whether may any man be both a Miniſter, and a Maſter of a ſchool, or Provoſt of a Colledge.

23. Whether may a man be both a Biſhop, and a Lord of the Seat.

24. Whether may a man be both a Miniſter and a Procurator or Man of Law, a Sheriff, a Toun Clerk, a Notar or a Conſiſtorie Clerk.

25. Whether may a man be both a Miniſter and a Commiſſar of the Conſiſtorie.

26. Whether may a man be both a Miniſter and a Sheriff or Juſtice Criminall, or Provoſt, Bailiff or Seargant of a toun.

27. Whether may a man be both a Miniſter and a Reader, or an officer of armes, or a Lord or Lairds ſtewart, grieve, pantryman, or porter.

28. Whether if a man may be both a laird or landed man, and therewithall a Miniſter or a Reader: in caſe the Kings proclamation come, or that he be ſummoned upon aſſiſes or inquieſts in criminal or civil cauſes,

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ought he to paſs to the warrs, and keep the Shireff and Juſtice Courts; or is he, be any law, exeemed, in reſpect of his miniſtration or reading.

29. In caſe the Miniſter or Biſhop conqueſs lands to be holden of the King, or other ſuperior, for perſonal ſervice in the warres or ficklyke, how may he of conſcience diſcharge both the one and the other function.

30. Shall payment of the thrids be perpetual, or for a time.

31. What benefices preſently ought to pay thrids, and what benefices none.

32. What proviſion for the wives and bearnes of the Miniſters deceaſſing, and how long ſhall they continue with the manſes and gleebs unremoved.

33. Who ſhall be judges in cauſes of matrimony and divorcement, of teſtaments, of the right of patronages, of benefices, of tinſell and deprivation from benefices, of the payment of Eccleſiaſtical rents and livings, of ſlanders.

34. How many ſufficient and worthy Miniſters to preach the word and miniſter the ſacraments, is there preſently within the realme of Scotland, and what are their names, at what kirks were it meeteſt to place them, what living and ſtipend to appoint to every one of them, and whether meeter to provide them for terme of life, or but from Aſſembly.

35. What ſhall be the condition of kirks and parochies, where no Miniſters are preſently to be placed.

36. Shall the Readers be preſently diſcharged, or not; what are there names, and how many of them eſteem ye worthy or unworthie to be continued.

37. A man provyded of old to a benefice, and now ſerving at another kirk for a ſtipend, Whether is he juſt poſſeſſor of the benefice, or may he be compted mercenarius for his ſtipend.

38. What difference to accept the title of a benefice of four pariſh kirks annexed to it, and to accept the ſervice and miniſtration of four ſeveral pariſh kirks that are no greater bounds nor number of pariſhioners than the other.

39. Are the articles and forms accorded upon at Leith, in Januar 1571, altogether to be followed, or altogether preſently to be caſten off and rejected; or what indifferent thing were proper and convenient to be followed.

40. Is it againſt conſcience and good order, That one man ſhall be

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appointed Reader to ſundrie kirks, or that one mans name ſall be twiſe written in the book to two ſundrie places, that he may thereby get two ſtipends.

41. Whether hath the City of Geneva committed ſacriledge, or not, in appointing of the rents and teinds of their Biſhoprick to their common theaſure, paying but a certain portion thereof to the ſtipends of their Miniſters.

42. Since be the lovable cuſtome of the primitive Kirk, the Kirk rents were diſtributed in four parts, viz. to the ſchools, the poor, the upholding of kirks, and the Miniſter or Paſtor, Ought not the rents of all benefices and ſtipends now poſſeſſed and received be Miniſters, and the rents of all lands, or teinds conquiſſed and poſſeſſed be them, either of the former kirk rents, or be meane thereof be the new reformed Kirk of Scotland, ſemblablie be divided, and applyed according to this order of the primitive Kirk. C.]

Anent the qualities of Readers, It is thought meit, That the haill Reidars within this realme ſalbe examinat and tryit de novo in thair Synodall Aſſemblies; and if, after examinatioun, they be found to want the qualities preſcryvit in the Booke of Diſcipline, to be depoſit, and removit fra thair offices: And, ſicklyke, That no Reidar within this realme miniſter the holie ſacraments of the Lord, except ſick as hes the words of exhortatioun, in their mouths.

[For reiding of the bills and ſupplicatiouns given in to this Aſſemblie, and anſwering thereof, the Aſſembly hath named and deput their brethren, Mr James Melvill, Mr Andrew Mylne, Mr James Carmichael, John Duncanſone. C.]

Seſſio 6a.

[Anent the propoſition made be Mr Henry Kinroſs, Advocat, in name of our Soverain Lords Seſſion, putting the Aſſemblie in remembrance of an act and order made be them, for in bringing of the perſones defunct,

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deſireing the Kirks anſwer, what had been done herein: The Aſſembly and Commiſſioners preſent underſtanding be the greateſt part of the brethren, that the ſaid act was not put in execution for lack of knowing of the ſame; after public reading thereof, ordaines the ſaid act and ordinance to be keeped and obſerved againſt the next Aſſemblie; and the names of the perſons deceiſed ſince the date hereof, to be reported to the Generall Aſſembly, conforme to the ſaid ordinance: And to the effect, that the ſame may be univerſally keeped and obſerved in times coming, It is thoght meitt, that in every parochin, ther be perſons appointed to break the earth, and to make ſepulchres, that ſall notifie the names of the perſons deceiſſit to the Reidars, that they may preſent the ſame to the Commiſſioners, to report the ſame to the Generall Aſſemblie. C. & B.]

Forſameikle as the Kirk and Commiſſioners preſent, advyſedlie conſiddering the great prejudice and hurt done to the Kirk of God be beneficit perſons within the Miniſtrie, that ſetts fewis and taks of thair benefices and eccleſiaſtical livings, lands, rents, teinds and fruites of the ſamein, defraudand not only their ſucceſſours of that quhilk juſtlie ſould pertaine to them, and quhervpon they aught to be ſuſtainit; bot alſo bringand vpon the Kirk be thair inordinat and corrupt dealing, infinite ſlanders and inconvenients: Therfor, with vniformitie of votes and myndes, they have concludit, That no beneficit perſon within the Miniſtrie, Biſchops or vthers, ſall ſett fewis or taks of their benefices, or eccleſiaſtical livings, lands, rents, teinds and fruites of the ſame, or any part therof, to quhatſoevir perſon or perſons, without the advyſe and conſent of the General Aſſemblie of the Kirk: and, ſicklyke, that no Miniſter ſubſcryve nor give thair conſent to the ſaids fewis or taks, in any wayes, quhill they ſie the conſent of the Aſſemblie.

For better reſolution of the queſtiouns given in be Alexander Hay, Clerk of the Secreit Counſell, and expeditioun of the matter of the Policie; The Kirk preſent hes ordainit Mr Johne Craig, William Chriſteſone; George Hay, John Duncanſone, Andro Melvill, James Melvill, Andro Hay, David Cunnighame, Johne Row, James Greig, James Lowſone, David Lindeſay, Robert Pont, David Fergusſone, Robert Hamiltoun, Johne Robertſone, Johne Erſkine of Dunne, ane of the Viſitours of Angus and Mearnes, if he beis preſent, to conveine the nixt day after the diſſolution of this Aſſemblie, and viſit and conſidder the heids of the Policie, advyſe and conſult diligentlie therupon, and vpon the ſaids queſtiouns, and

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to report their judgements theranent, conceivit formallie in wryt, to the next Aſſemblie.

[Anent the heads and articles of accuſation given againſt Mr Thomas Hepburne: The Aſſembly committs the viſitation of the ſame to their brethren, Mr John Row, Mr James Lawſon, Mr David Lindſey and Mr Andrew Melvill, and to receive his anſwers to the ſaid accuſations afternoon. The ſame day the accuſations with their anſwers being reported to the Aſſembly at afternoon, and read, and the ſaid Mr Thomas inquired, namely, of the doctrine taught be him, That no Soul entereth in heaven, where Chriſt is glorified, while the latter judgement, if the ſame be damnable and erroneous, or not: Anſwered, That he had learned the ſamen opinion out of certain ancient Doctors of the Kirk; nevertheleſs if a better reaſon be brought to refute the ſamen, he will not adhere contumaciouſly to his own witt, but yield to the better reaſon: for which purpoſe he deſired he might have conference and privie concurrence of certain of the learned brethren, namely, of Mr John Craig, Mr John Row, Mr Andrew Melvil, Mr Robert Pont, Mr George Hay, Mr James Lawſon; wherunto the Aſſembly accorded, and appointed the ſaid brethren to conveen the morne, at 8 hours in Mr James Lawſons houſe, with the ſaid Mr Thomas to that effect, and to report their judgements upon his anſwers, as well concerning the ſaid article and doctrine, as other articles of accuſation laid to his charge, at ten hours. C.]

Anent the ſummounding of the Moderatour, and Mr Andro Hay, Commiſſioner of Cliddiſdaile, to compeir befor my Lord Regents Grace and the Princes Counſall, bringand with them the act and ordinance, made be the Aſſemblie for excommunication of the Captaine of Crawfurd, with the act quhervpon the ſame proceidit, that the veritie might be knawin: The Kirk ordaines thair brether to appear befor my Lord Regents Grace and Counſell, and give obedience, and to report quhat beis done in that matter.

Returneand to the Aſſemblie fra his Grace and Counſell, they declarit, That, in reſpect they producit not the acts and ordinance forſaid, quhilk they excuſed be ſhortneſs of the charge, and occupatioun of the Clark, his Grace and Counſell hes ſuſpendit the ſaid ſentence of excommunicatioun quhill the production of the ſaidis actis; quherfor they proteſtit for the libertie of the Kirk.

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[Anent the ſupplicatioun given in be the toun of Dumferline, for liberty to be granted them to play upon a Sunday afternoon, a certain play which is not made upon the Canonical parts of the Scripture: The Aſſemblie refuſes to give libertie to the Bailzie of Dumfermling to play upon the Sonday afternoone, a certaine play quhilk is not made upon the Canonicall parts of the Scripture, in reſpect of the act of the Aſſemblie paſt in the contrair; exhorting the Bailie of Dumfermling, preſenter of the bill, to requieſt the toun to keep the ordinance of the Aſſemblie. C. & B.]

Seſſio 7ª

[Anent the doubts and difficulties proponed in the matter concerning Mr Robert Hamilton, Miniſter of Sanct Andrews, and Provoſt of the New Colledge thereof, to witt, Which of the two offices, Proveſtrie, or Miniſtrie of Sanct Andrews, he ſhould retain and enjoy; ſeeing it is Found and thought he may not brook both. The Aſſembly and Commiſſioners preſent, after long and prolixe reaſoning had in the matter, conſidering the ſaid Mr Roberts firſt entrie in the function and office of the Miniſtrie of Sanct Andrews, quherto, without advice of the Aſſemblie, he had unite the ſaid proveſtrie: and ſeeing, be the act of the laſt Aſſembly, the ſaid two offices are not found compatible in his perſon, Decerns and ordaines the ſaid Mr Robert Hamilton to remaine ſtill with the Miniſtrie and Paſtorſhip of Sanct Andrews, and to watch and attend zealouſly and diligently upon the cure and charge thereof, as becometh a faithful and vigilant paſtor to doe to his flock, and in the name and fear of God, to leave and caſt off the ſaid office and charge of Proveſtrie of the New Colledge, as an impediment, ſtay, and hinderance to his office and calling of the Miniſtrie, under the pain of the cenſures of the Kirk. C. & B.] Mr William Skene, Commiſſioner of Sanct Androes, in name of the New Colledge and electours of the ſaid Mr Robert to the ſaid Proveſtrie, diſſentit fra this ſentence; quherunto the ſaid Mr Robert adherit, in reſpect, as he alledgit, the Kirk could not diſcharge him of the Proveſtrie, and that he could not beare the burden of the haill Kirk of Sanct Androes in his awin perſon.

[According to the ordinance of the Aſſembly, the brethren depute to the reaſon and conference with Mr Thomas Hepburne, anent the

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Article of doctrine teachit and profeſſit be him, That never Soule went to heaven before the latter day, and to give their judgement upon his anſwer thereto, with the anſwer made to the remanent articles laid to his charge, reported, That they had entered in reaſoning and conference with the ſaid Mr Thomas, concerning the article of Doctrine above written, and laid before him ſundrie teſtimonies of Scripture, and reaſons confuting and evicting the ſaid error, which always have not ſatiſfied the ſaid Mr Thomas; yet if the Aſſemblie preſent will damne the ſame article of doctrine, as erroneous and heretical in whatſomever profeſſing the ſame, the ſaid Mr Thomas will give place to their judgment, and leave his opinion therein; which report being alſwa allowed be the ſaid Mr Thomas to be his mind and declaration: The Kirk, after reiding publiclie of the ſaid Article, of ane mynd and voyce but exceptioun, altogither damnit and deteſtit the ſaid Article, and adjudgit the ſamein to be heretical, falſe, and erronious, repugnant and contrarious to the plaine and evident word of God, reveilit in his ſacred and holy Scriptures, foundit and having the ground only upon curioſity of mens witts, without aſſurance of Gods law; and, therfor, inhibites all and quhatſumevir perſons publicklie or privatlie to mantaine and defend the ſaid errour, vnder the paine of the cenſures of the Kirk; leavand alwayes the ſaid Mr Thomas to privie conference with ſic brether of the Miniſtrie, as he thinks good, for his reſolutioun in the ſaid matter: And alwayes for conſideration preſentlie moveand the Kirk, diſcharges the ſaid Mr Thomas fra entering in the Miniſtrie, quhill the Kirk be farther adviſit. C. & B.]

[Ordaines the Miniſters of Edinburgh to try diligentlie and examine Forſyth, proponed to the brethren preſentlie to enter in the Miniſtrie, if he be qualified and apt for the charge thereof, and able to diſcharge the dutie and office of a Miniſter, without the knowledge of the Latin tongue; and if they after trial, do find him meet for the ſamen, notwithſtanding the inlaike of the knowledge of the ſaid tongue, to give their teſtimonial therupon to the Commiſſioner of the countrie, within whoſe province he ſhall happen to receive the cure, that they may admit him; otherwiſe reject and repell him. C.]

Anent the propoſition of the brether of the Chapter of Sanct Androes, declarand that my Lord Regents Grace hes preſentit Mr Patrick Adamſone to the Biſchoprick of Sanct Androes; and they beand of the Chapter, in reſpect of the act and ordinance of the Generall Aſſemblie, delayit thair

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proceiding therin, deſyreand the Aſſemblie preſent to proceid to the tryall of him, conforme to the ſaid act: The ſaid Mr Patrick being preſent and requyrit be the Aſſemblie, If he wald ſubmitt himſelfe to the tryall and examinatioun of the Aſſemblie, and receive the office of a Biſchop according to the injunctions of the Kirk, and conditiouns qualified in the Regiſter of the Kirk: He anſuerit, He could not doe the ſame.

[Queſtions reſolved by the whole Aſſembly.

Q. Whether if ſalt pans, mylnes, and other labouring, which drawes away innumerable people from hearing the word of God, ſhould be permitted to goe on the Sabbath day; and, Whither the Aſſembly ſhould not oppone themſelves hereunto, and make ſtrait acts in the contrair. C.] A. Salt pannes, mylnes, and vther labouring, quhilk drawes away innumerable peiple from the heiring of the word of God, ſould not be permitted, and the violaters to be debarrit from the benefites of the Kirk, quhill they make thair repentance, and the continuers therin to be excommunicat.

[Q. Whether if a man or a woman divorced for adultery ought to be admitted to the ſecond marriage; and if the Kirk ought not, like as they have inhibit the Miniſters to marrie any ſuch, ſo plainly to give their judgments in this caſe, and to declare it to be unlawfull, ſpecially in reſpect of the great inconveniences that follow daily thereof; namely, ſome forge cauſes of adultery; ſome make cauſes indeed; and ſome be colluſion corrupt judgements; and all in hope of a new marriage, which daily they attain unto be ſome hyreling ſmaikes, who are but ſuſpended therefor for a while; ſwa that if proviſion be not ſhortly made hereunto, no man may brooke his wife, nor no wife her huſband longer than they lyke; and a barbarous confuſion unknown to the very Ethnicks and Turks ſhall enter in among us. C.] A. The Kirk will not preſently reſolve the queſtion, Whither if a man or a woman divorcit for adulterie, aught to be admitted to the ſecond mariage; but inhibites all Miniſters and Reidars to marie any ſick perſons, vnder the paine of deprivatioun ſimpliciter, without any reſtitutioun to thair offices in tymes cuming; and the perſons ſo joynit, to be chargeit to ſeparate themſelves, conforme to the Act of the Aſſembly in Auguſt 1574.

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[What forme of repentance ſhall be injoyned to a man that committs both adultery and inceſt. C.] A. Ane man that committs both adulterie and inceſt, ſould be doublie puniſhed.

[Whether if a Miniſter or Reidar may tap aile, bear, or wine, and keep an open tavern. C.] A. Ane Miniſter or Reidar that taps aill or beir or wyne, and keips ane opin taverne, ſould be exhortit be the Commiſſioners to keip decorum.

Whither if burialls ſould be in the kirk or not: Anſuerit, Not: and that the contraveiners be ſuſpendit fra the benefites of the Kirk, quhill they make publick repentance.

[What puniſhment ſhall be injoyned to an adulterer relapſed: C.] A. Relapſe in adulterie is doublie puniſchit.

Seſſio 8a

Anent the requiſition of the Aſſemblie made to James Biſchop of Glaſgow, to give his anſuer, If he will accept of the charge of ane particular flock, and viſitation of ſick bounds as the Kirk ſall think good and appoint to him, conforme to the articles concludit in the Aſſemblie: The ſaid Biſhop being preſent exhibite to the Kirk his anſwer heirto in wryte, as followes.

Forſameikle as it is not vnknowin to zour Wiſdomes, that ze gave commiſſion and charge to certaine learnit, godlie, and diſcreit brether of the Miniſtrie, and vthers, Elders of the Kirk, to commoun, treat, conclude, and agrie with certaine vther Noblemen, Commiſſioners from the Kings Majeſtie, Johne vmquhile Erle of Marre his Regent; at the quhilk Conference it was agreit be the haill Commiſſioners, aſweill of the King as of the Kirk, anent the name, ſtyle, power and juriſdictioun of the Biſchops, with the forme and manner of thair inſtitutioun, Ordainit to ſtand and remaine quhill the Kings Majeſties zeirs of minoritie, or, at the leaſt, quhill a Parliament ſould vtherwayes decyde; and, conforme to the ordour therin conteinit, he was receivit in the ſaid Biſchoprick of Glaſgow, and made his ſermoun to the Kings Majeſtie, in things pertaining to his Hienes; and ſwa if he ſould

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change or alter any thing pertaining to the ordour, manner, or priveledges, or power of the ſamein, I ſould be afrayit to incurre perjurie, and might be callit befor the Kings Majeſtie, for changing ane Member of his Eſtate: bot to the effect zour Wiſdomes may know, he deſyres not to be exeimit from travell, and beſtowing of ſick gifts as God hes communicat to him, he is content, at thair command, to haunt to ane particular kirk, and to teach therat, quhen he dwells in the Sheriffdome of Air, and that be diſcretioun and ſight of the brethren of that Countrey; and quhen he is in Glaſgow, to exerceiſe lykwayes at ſome part, quher the brethren ther think moſt neceſſarie, and to abyde thair judgment of his diligence in that behalfe, without binding him ony wayes, or prejudging the power and juriſdictioun quhilk he receivit with the ſaid Biſchoprick, vnto the tyme preſcryvit in the ſaid Conference, that farder ordour be tane be the haill Eſtates theranent; at quhilk tyme he ſalbe content with all good reformation as ſalbe fund expedient. Quhilk anſuer beand red, the Kirk continuit, and continews the ſaid Biſchop in the viſitation of the bounds quhilk he had befor, to the nixt Aſſemblie; and as to the particular flock, [the Aſſemblie is content he take the care of a particular flock,] as is mentionat in his anſuer, to the nixt Generall Aſſemblie.

Anent the forme of repentance of fornicators: The Kirk and Commiſſioners preſent hes vottit and concludit, That ane of the dayes of thair appeirance to make repentance for thair offence, be on ane Sonday at ten houres befor noone, in tyme of preaching, in prefence of the congregation; and that double fornicators receive double puniſhment for thair offence.

[In reſpect of the abſence of John Vre, one of the Commiſſioners appointed to the viſitation of Fife, the Generall Aſſemblie ordaines David Ferguſon, one of the ſaid Commiſſioners, to ſupply his room in entering of the Miniſters and Readars within his bounds, in the book of aſſignations, hac vice tantum.

The ſame day, Mr James Lowſon, Miniſter of Edinburgh, reported to the Aſſemblie and Commiſſioners preſent, an acquittance and diſcharge of the money collected for the help and ſupply of the exiled brethren of the French Kirk in England, with a roll of the names of the perſons contributing thereto, and the quantity of every mans contribution, deſiring the one and the other to be inregiſtrat and booked in the Regiſter of the

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Kirk, ad perpetuam rei memoriam; which defire the Aſſemblie thought good, and ordained, and ordaines the ſamen to be regiſtred among the Acts of ane Aſſemblie, to be a teſtimonial to the poſterity and age to come, of the good mind and zeal of the charitable perſons, that ſuccoured the neceſſity of their ſaid brethren in the day of their extremity: The tenor of the ſaid exoneration and rolls ſhall appear hereafter. Further, the ſaid Mr James exponed and ſhewed, that, ſince the delivery of the ſaid money, be the diligence and procurement of the Viſiters and Superintendents, ſome more money is brought in and received be him; willing the Aſſemblie to declare what ſhall be done therewith, and how the ſame is thought to be imployed: The Aſſemblie thinks it meet, That the ſamen ſhall be keeped be the ſaid Mr James, and remain in his hands, till order be tane herewith. C.]

[Apud Haliruidhous penultimo Octobris Anno ꝛ v^c lxxvj.

Sederunt.

Jacobus Dominus Regens.
Archibaldus Comes Anguſie.
Comes de Buchane.
Joannes Dominus Maxwell.
Joannes Dominus Hereis.
Jacobus Epiſcopus Glaſguenſis.
Adam Epiſcopus Orchadenſis.
Robertus Commendatarius de Dunfermling.
Commendatarius de Culros.
Marcus Commendatarius de Newbottill.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counſale be Johnne Carmichaell of Medoflatt, makand mentioun, That quhair vpoun proclamatioun of bandis for mariage to be completit

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betuix him and Elizabeth Scott his ſpous; they beand fre perſonis, thair mariage wes ſolempnizat in the moneth of Apryle laſt bipaſt, conforme to the ordour of the Kirk; ȝit be quhat occaſioun he knawis not, Maiſter Williame Livingſtoun thair Miniſter, allegeand him to haue command of the Biſchop and Commiſſionar within the Diocie of Glaſgow, to admoneis the ſaid Johnne Carmichaell to abſtene fra his ſaid ſpous, vnder the pane of excommunicatioun, quha myndis to proceid therto: ffor remeid quhairof he preſentit himſelf to the preſent Generall Aſſemble, deſyrand the ſaid command to be diſchargeit, in reſpect of his ſaid mariage ſtandand vnreduceit, or diſchargeit null be the Juge Ordinar; nottheles Maiſter Johnne Craig, Moderator, opponit in the contrair, allegeand the Kirk to haue maid ane generall act and ordinance anent all perſonis allegeit adulteraris, quhairby thay haif ordanit the ſaid Johnne Carmichaell to abſtene fra his ſaid ſpous, ay and quhill it be decernit and tryit quhidder thair mariage be lauchfull or not, vnder the pane of excommunicatioun: Quhilk ordinance is and mon be repugnant to the law of God, inſafar as they are mareit conforme to the ordour of the Kirk, with all ſolempniteis requirit therto; ſwa of the law it is preſumit to be lauchfull, and neids na forder declaratour; and gevand it wer not lauchfull, ȝit the ſaid adminitioun is evill vſit aganis the ſaid Johnne befoir cognitioun be tane theranent, quhilk is not ȝit done: And attour, gevand they haue ony ſic act, that act is bot prevat, na publicatioun being maid thairof, nor ȝit authorizit be Parliament, as it aucht to be befoir it tak effect; and thairfoir is null with the ſaid executioun following thairupoun; nottheleſs thay will not faill to proceid to the ſaid excommunicatioun aganis all reſſoun, without remeid be prouidit. And anent the charge gevin to James Biſchope of Glaſgow, Maiſter Johnne Craig, and Maiſter Andro Hay, to haue comperit befoir my Lord Regentis Grace and Lordis of Secreit Counſale this day, bringand with thame the ſaid command of excommunicatioun togidder with the act quhairupoun the ſamyn procedit, to the effect that thay mycht vnderſtand the trewth of the ſaid matter, and thairefoir tak ordour thairin as appertenit, lyke as at mair lenth is contenit in the ſaid complaint: The ſaid Johne Carmichaell comperand perſonalie with Maiſter Henry Balfour his prelocutour; and the ſaids James Biſchop of Glaſgow, Maiſter Johnne Craig, and Maiſter Andro Hay, being alſua perſonalie preſent; the ſaid Maiſter Andro wes requirit to produce the ſaid act quhairupoun the ſaid command of

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excommunicatioun, gevin be him, procedit: And he refuſand, allegeand the ſame not zit to be extractit furth of the bukis of the Generall Aſſemble of the Kirk, my Lord Regentis Grace thairfoir, with auiſe of the ſaids Lordis, ſuſpendis the executioun of the ſaid act and command following thairupoun, in tyme cuming, vpoun the ſaid Johnne, ay and quhill the ſamyn be produceit befoir his Grace and Lordis foirſaid, and that the ſaid Johnne be warnit to the productioun thairof, as efferis.—Reg. Sec. Conc.]

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A. D. M.D.LXXVII.

THE Generall Aſſemblie conveinit at Edinburgh, in the Counſell houſe, the firſt of Aprile 1577: Wherein were preſent the Biſchops of Glaſgow and Dumblane, Superintendents, Commiſſioners of Countreyes, Kirks and Vniverſities, Miniſters and vthers. Mr Alexander Arbuthnet, Principall of the Colledge of Aberdein, Moderatour.

Becauſe the ſaid Mr Alexander, Moderatour, was abſent from the laſt Aſſemblie, and, in that reſpect, not forſein of the things done therin, at his deſyre the Kirk appointit [their loved brethren] the Laird of Dun, Mrs James Lowſon [Miniſter of Edinburgh,] Robert Pont, [Proveſt of the Trinitie Colledge,] David Lindeſay, [Miniſter of Leith,] Andro Hay, [Commiſſioner of Cliddiſdaill,] John Craig, [Miniſter of Aberdeen,] Andro Melvill, [Principall of Glaſgow,] to concurre with him the morne at ſeven houres in the morning, [in the Nether Tolbuith, to conferr] and advyſe with him vpon ſick things as ſalbe thoght good to be handlit in this Aſſemblie.

Seſſio 1ª

[Forſameikle as the chief and principal argument to be treatit and reaſoned in this Aſſemblie, is the Policie of the Kirk, reſerved in their laſt Aſſembly to be handled and diſputat at this, the brether deput to the conceiving and forming of the heids therof, being callit to give count of thair diligence and induſtrie in this behalf, preſented the heads of the Policie, as

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they had made partition therof at thair Aſſemblie in Striveling, with the judgment of the labours of the whole brethren tane therein. C. & B.]

Thereafter was preſented the heids pennit be Mrs Johne Row and James Lowſone, which were red, and nothing agains ſaid, except ane of the ſaid Mr Johnes articles referrit to farther diſputation; all men beand requyrit, that had good reaſon or argument to propone in the contrair, to alledge the ſame; or if they wald not publicklie reaſon vpon the ſaid heid, to reſort to the ſaids Commiſſioners, quher travell ſould be taken to ſatiſfie them, leavand to them alſo libertie, befor the heids be recollectit and ordourit in ane bodie, to make argument as they think good againſt the ſame.

The heid given to the Laird of Dun, conforme to the order of diſtribution foreſaid, being thocht be him obſcure and myſtick, the Kirk deſyrit him to conferre with the remanent Commiſſioners the morne at ſevin houres, that he may be reſolvit of the meaning therof.

The remnant heids beand prolixe, [and amplie written be the Commiſſioners,] were thocht good to be contractit in ſhort propoſitiouns [and concluſions,] to be preſentit to public reiding [thereafter.]

Seſſio 2a.

The heid committit to Mr Andro Hay red in face of the Aſſemblie: nothing was opponit againſt the ſame, except the article anent the Suſpenſion of Miniſters, referrit to farther reaſoning.

[The part of the Policie given to David Ferguſon red: Sicklyke the 18 article was reſerrit; and nothing ſpoken be any man againſt the reſt. C. & B.]

The pairts committit to Mr Andro Hay, Robert Pont, David Lindeſay; nothing alledgit in the contrair.

The heids committit to Mr Johne Craig red: ſome things were deſyrit to be contractit, andvthers referrit to farther reaſoning.

Seſſio 3a.

The haill labours of the brethren tane vpon the matter and argument of the Policie beand haililie red in publick audience of the Kirk, it was

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thoght expedient [and good,] That thair haill travells and wark in this matter, being now diſperſed, ſould be reviſit and pervſit be ſome brethren, and digeſtit and diſpoſit in good and convenient ordour, and therafter to be preſentit to the Aſſemblie: And for that effect the Kirk appoints thair brethren, Mrs James Lowſone, Andro Melvill, Johne Craig, George Hay, to conveine together, to appoint the houres and place therto, and remaine therat quhill the matter be brocht to end; and, in the meane tyme, if it pleaſe any man to reaſon with them in the matter, to have acceſſe therto.

[In the trial of the Viſitors, John Clapperton, Commiſſioner of the Merce, was accuſed, That he refuſed to deſigne the gleeb to the Reader of Langtoun: He anſwered, That he could not have the concurrence of the pariſhioners conforme to the act of Parliament. The Aſſembly ordaines the Reader to ſeek remeed at the Lords of Counſell, and the Commiſſioner to deſigne the ſaid gleeb conforme to the acts of Parliament.

The Aſſembly ordained the Commiſſioners to be placed in the parts of Fife, where Mr John Colvill remains, to burthen him with the cure of a kirk there conforme to the act made before, and to proceed againſt him if he diſobeyed; and ſicklyke the ſame Commiſſioners, and the Commiſſioners to be appointed for Cliddiſdaill, to charge him to provide his kirk in Cliddiſdaill. C.]

Seſſio 4ª

Anent the accuſatioun laid agains Mr Patrick Adamſone, callit Biſchop of Sanct Androes, That he had entrit in the ſaid Biſchoprick agains the acts of the Generall Aſſemblie, and uſurpit the office of Viſitatioun within the bounds of Fyfe, vnauthorized be the commiſſion or power of the Kirk, and left his ordinar office of Miniſtrie: The Generall Kirk, in reſpect of his abſence to anſuer heirto, Gives thair full power and commiſſion to [their brethren] Mrs Robert Pont, James Lowſone, David Fergufone, and the Superintendent of Lowthiane conjunctlie; and in caſe of the ſaid Superintendents inabilitie, to Mr David Lindeſay, or John Brand, to direct out ſummounds agains the ſaid Mr Patrick, ſummounding him befor them at ſick day or dayes as they ſall think good, within the towne of Edinburgh, to try and examine his entrie and proceiding to the ſaid Biſchoprick, vſurpatioun of the ſaid office of Viſitatioun, and diſerting his

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ordinar office of Miniſtrie quhilk he had of befor; with power to them to ſummound the Chapter of Sanct Androes, or ſo many of the Chapter as ſall ſeime to them expedient, if neid requyre, and the Ordinars and Inaugurers of the ſaid Mr Patrick, as they ſall thinke good, for the better tryall of the premiſſes: And what heirin they find be proces of examination, to report againe to the next Generall Aſſemblie; and, in the meane tyme, in name of the Kirk to diſcharge him of farther viſitation of the ſaids bounds quhill he be admittit be the Kirk.

Seſſio 5a.

[The which day, James Blackwood, Perſon of Sanquhar, being accuſed, That he bruikit twa benefices, viz. the Perſonage of Sancquhair and Vicarage of Saline, yet ſerves not at ane of the kirks: The Aſſembly, after ſome reaſoning, Found he ſould demitt ane of the ſaid benefices, and appointed him the morne to adviſe, and reſolve which of them he would reſigne. C. & B.]

[Concerning the Biſhop of Glaſgow his diligence, and feeding of a particular flocke as was promiſed in the laſt Aſſemblie before: It was found be report, and witneſſing of the countrey, and Commiſſioners thereof, that he had keeped his promiſe theranent; for which the Aſſembly praiſed God, and required farther that he ſhould accept of a particular flock in tyme coming, conforme to the order and acts of the Aſſembly, who willingly agreed thereto.

Seſſio 6a.

Anent the reſolution to be given be James Blackwood, Perſon of Sanquhar, to the determination of the Aſſembly given yeſterday: The ſaid James preſent reſolved, and declared, That, for fear of his life, he dar not reſort to Sanchar to diſcharge his cure there, and always he ſhall ſerve at Sawling while he get ſecurity of Sanchar: In this mean time, matters ſtanding uncertain, humbly prayed the Aſſembly, that he were not compelled to reſign any of them. That anſwer being conſidered be the ſaid Aſſemblie, they ordained him to travell at the kirk of Sauling till the

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next Generall Aſſembly, if he may not ſecurely exerciſe his office at Sanquhar; and, in the mean time, that John Fouller ſupport the kirk of Sanchar upon his coſts; always providing that the ſaid James inſiſt diligently be the laws of the realme, to get poſſeſſion of his benefice at Sanchar, and ſhew his diligence thereupon, betwixt this and the next Generall Aſſemblie: And ordaines the Commiſſioners of the country to admoniſh the Tutor of Sanquhar to make no impediment or trouble to the ſaid James, in uſing his office, and ſerving the cure at Sanchar, under the paine of the cenſures of the Kirk to be uſed againſt him, if he diſobey. C.]

It was thoght expedient be the Kirk, that certaine of the brether be direct to the Regents Grace to informe him, that the Kirk is travelling in the matter and argument of the Policie; and quhat beis farther proceidit therin, his Grace ſall receive advertiſement befor the end of the Aſſemblie. In this meane tyme, ſundrie inconvenients may fall out befor this be perfytit, quhilks it wald pleis his Grace to conſidder and remeid: And for this effect were diſpatchit from this Aſſemblie Mrs David Lindeſay and Johne Duncanſone, quho returneit and reportit, His Grace lykit weill of thair travells and labours that they tooke in that matter, requyring expeditioun and haſtie outred therof: As for the particulars they informe wald be occurritt, let them be givin, they ſall have good anſuer.

Seſſio 8a

The particulars of ſick things as are deſyrit to be ordinat be my Lord Regents Grace, befor the worke of the Policie came out, beand conceivit in a few articles, quhilk after ſall appeir, were delyverit be the Kirk to thair brether Mrs David Lindſay, Andro Polwart, Johne Duncanſone, to be proponit to his Grace, and to that effect to awaite afternoon for his Graces anſuer; quho returning reportit that his Graces anſuer was, That, if the articles might be reſolvit be himſelfe without the Counſell, they ſould receive his anſuer the morne in the morning; vtherwayes the Counſall ſould be conveinit the morne at afternoon, and theraſter anſuer ſould be given to ſick as the Kirk directit to receive the ſame; for the quhilk effect the Kirk directed Mrs John Craig and David Lindeſay.

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The tenour of the Articles above ſpecified.

Firſt, That proviſioun may be had for viſitors of the Countreys.

2. That ordour may be tane, that perſons depryvit be the Kirk for not doing thair offices, may be depryvit of thair benefices.

3. That his Grace will putt ordour to ſick as receives benefices, and therafter coupes them.

4. That quhen benefices vaikes, they may be diſponed rather to ſick as hes ſervit at the kirks therof, than to vthers not ſo weill qualified.

5. That the acts of Parliament made againſt adulterers may be put to executioun, namelie, agains Willian Cochron, notorious adulterer.

6. That his Grace wald diſcharge playes of Robin Hood, King of May, and ſick vthers, on the Sabboth day.

7. Becauſe ther is diverſe Reidars not entrit in the Booke of Aſſignatioun, partlie be reaſon of inlaik of Commiſſioners, and partlie be thair negligence, That ordour may be provydit therfor.

The proces perſewit be the Laird of Tullielane agains Johne Dykes, Miniſter of Culros, was fichtit be ſome brether, and the head of the bill was not found provin. The debait was finallie endit be the travells and perſwaſion of the brether appointit therto.

Seſſio 9a.

Anent the complaint made be David Ferguſone vpon Mr James M'Gill, Clark of Regiſter, and the 3ong Laird of Roſſyth, That, agains the actis of the Kirk, they cauſit burie the vmquhill Laird of Roſſyth in the Kirk of Dumferling, albeit the ſaid David made them foirſein of the ſaid act: The Kirk ordainit Johne Durie to warn the Clerk Regiſter to anſuer heirto, the firſt of May nixt to come.

Seſſio 10a.

[The Aſſembly] ordaines the brether [appointed] to waite on my Lord Regents Graces anſuer, to make ſute for Mr John Davidſones libertie to come in the countrey, for his favour, quhen he lykes to returne.

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Anent the ordinance made in the laſt Aſſembly, and execution thereof, concerning the inbringing of the names of the perſons defunct be the Commiſſioners of the Countries, conforme to divers other acts paſt of before: The Superintendent of Lothian anſwered, He hath preſently certain names ready to be delivered to the Procurator Fiſcal; Mr John Craig for his part declared, He had delivered the names of the defunct within his bounds to the Commiſſioner of Aberdeen; William Chriſteſon, That he had delivered the names to the ſaid purſevant, direct to the Commiſſioners. The Aſſembly and Commiſſioners preſent have ordained the whole Commiſſioners of Countries to ſend in the names of the perſons defunct within their bounds to the Procurator Fiſcal at Edinburgh, if they be ready betwixt and the next Aſſemblie; otherwiſe ſimpliciter to produce them then to be delivered to him, and to keep the act and ordinance made theranent before. C.]

The brethren appointit to collect the heids of the Policie preſentit of before, reportit the ſame collectit in ordour, and digeſtit in one bodie; and all men requyrit that had good reaſon or argument to propone, to offer them thereto.

Thrie heids were callit in doubt be certaine; ane de Diaconatu, another de Jure Patronatus, the thrid de Divortiis, quherin they were not reſolvit nor ſatiſfied: As to the reſt, nothing was thoght to the contrair, nor opponit.

Thir thrie heids ſtandand in contraverſie being publickly diſputed and reaſoned in utramque partem, zet farther diſputation was reſervit till the morne, to any man that lykit to take the part of reaſoning upon him agains the ſaids heids.

The Commiſſioners appointit to awaite vpon my Lord Regents Graces anſuer, reportit, Becauſe they had no commiſſion in wryte, his Grace gave no anſuer to them.

[Queſtions proponed in the Generall Aſſembly, and their deciſions.

Q. What ſhall be done concerning ſuch perſons who will not receive the Communion but in Lentron. A. Such perſons ought not to be ſatiſfied, nor their ſuperſtition nuriſhed therein.

Q. What ſhall therefore be done to Miniſters and Readers, that, at ſuch tymes in Lentron, or upon Saints dayes as they call them, as Zule and Paſche and ſuch ſuperſtitious times, read, preach, or miniſter the

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Communion, to retain the people in blindneſs. A. The Viſitor, with advice of the Synodall Aſſembly, ought to admoniſh ſuch Miniſters or Readers to deſiſt and abſtain therefrom, under the paine of deprivation; and if they diſobey, to deprive them.

Anent the complaint made upon the Clerk of Regiſter, That he cauſed burie the late Laird of Roſſyth in the Kirk of Dumfermline againſt the acts of the Kirk: C.] The Clerk Regiſter beand preſent, declared, That the Proveſt and Bailzies of Dumfermline aggreit to burie the Laird of Roſſyth in the Kirk, and that he was not the cauſe therof; ſubmittand himſelfe alwayes to the judgement of the Kirk, if any offence be found done by him.

[The Aſſembly requieſted the Commiſſioners of Countries to continue in their commiſſion and office of Viſitation till the next Generall Aſſembly, and to uſe ſuch diligence and travels as they may goodly doe for the comfort of the Kirk. Mr Andrew Hay, Commiſſioner of Clideſdale, proteſted, That he be not burdened with the Over Ward of Cliddiſdaill from Hamiltoun up; always promiſed to keep Synodall Aſſemblies. C.]

The Generall Aſſemblie of the Kirk of this realme, conſidderand the great aboundance of iniquitie overflowing vniverſallie the haill face of the commoun weill, now in ſo great light and revelatioun of the true and Chriſtian religioun, juſtlie provocking and ſtirring up the juſtice and equitie of God to take judgement and vengeance on this unworthie and vnthankfull nation; ſeeand alſo the many perrillous ſtormes and rage of perſecutioun daylie invadeing the Kirk and Spous of Jeſus Chryſt; the found and extreame troubles of the zealous members therof in the partes of France and els quher, profeſſing with them ane Saviour, Lord, and Meſſias; the work of eſtabliſching a perfyte ordour and policie in the Kirk being preſentlie in hand, Hes thoght it good [meet and expedient] for the ſame reaſons and good cauſes, That earneſt and ſpeidie recourſe ſalbe had to God with commoun ſupplicatiouns and prayers: And to that effect, a generall Faſt be obſervit vniverſallie through all the kirks of this realme, with doctrine and inſtruction to the peiple; to begin the ſecond Sonday of Julij nixt to come, quhilk is the nynt day therof, and to continue to the nixt Sonday therafter, vſing, in the meanetyme, exerciſe of doctrine according to the accuſtomit ordour; and to that effect, that intimatioun be made heirof be Com-

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miſſioners of Countreyes to the Miniſters within their bounds, as appertaines. Givin in the Generall Aſſemblie.

[Concerning the propoſition of Mr James Lowſon, Miniſter of Edinburgh, deſireing the mind and declaration of the Aſſemblie, How they think to be done with the money which was collected to the ſupport of the French Kirks, being yet in his hands undiſpoſed: The Aſſembly preſent willeth the ſaid money, or ſameekle farther which ſhall be inbrought of that which was promiſed for their ſupport, to be employed to the uſe and neceſſity of the Kirk. C.]

Becauſe the matter of the Policie of the Kirk, collectit be the brethren, is not zet in ſick perfyt forme as is requiſite; and ſundrie things largelie intreatit, quhilk wilbe more ſummarlie handlit; vthers requyring farther dilatioun: For recollecting therof, and puting the ſame in good ordour and forme, and for avoyding of ſuperfluitie and obſcuritie, the ſubſtantialls beand keipit; the Kirk preſentlie hes willit thair belovit brethren, Mrs Robert Pont and James Lowſone, to take travells and labours in the premiſſes: and to the effect that the worke may be the better compleit and in readines againſt the nixt Generall Aſſemblie, quhilk is ordainit to begin at Edenburgh the 25 day of October nixt to come, the Kirk hes ordainit thair brethren, the Laird of Dun, Mrs Alexander Arbuthnet, Andro Melvill, Johne Craig, Andro Hay, George Hay, Johne Row, David Lindeſay, Johne Duncanſone, to conveine and aſſemble together, the 19 of October nixt, in Edenburgh, to reviſe and conſidder the travells of their ſaid brether, that the ſame may be the more advyſedlie proponit publicklie, as ſaid is. In this meanetyme, ſick as pleaſes to reaſon in the matter, to have acceſſe to the ſaid brether: and lykewayes ordainit the Viſitors of Countreyes to make intimatioun to the Barronis, that the ſaid warke is in hand, and to be treattit in the nixt Generall Conventioun; deſyreand thair preſence and concurrence therto.

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A. D. M.D.LXXVII.

THE General Aſſembly of the Kirk conveinit at Edenburgh, in the Laigh Tolbuith therof, the 25 day of October 1577: Where ther was preſent the Commiſſioners of Countreyes, Provinces, Townes, and Vniverſities, with the Miniſters. Mr David Lindſay [Miniſter of Leith] Moderatour.

Seſſio 1a.

Becauſe of great confuſioun heirtofoir in Aſſemblies quhilk fell out be caſting in of purpoſes vnforſein afoir, and be the multitude of the proponers therof, it was thocht meit, dureing this Aſſemblie, that certain brether ſould conferre with the Moderatour vpon matters to be intreatit on at this conventioun, viz. Mrs John Row, Alexander Arbuthnet, Andro Melvill, William Chriſteſone, James Lowſone, Robert Pont, Andro Hay, Johne Duncanſone, [and the brethren to conveen with the Moderator at eight hours in the morning, and at half hour to two in the afternoon during the Aſſembly]: and ſicklyke it is thoght good, that the acts made in the Aſſemblie be conſidderit be the ſaid brether joynit to the Moderatour, and therafter red in opin Aſſembly.

The Kirk thoght meit, that my Lord Regents Grace ſould be deſyrit to be in this Aſſemblie in proper perſon, or be Commiſſioners; and to that effect were directit Mrs Johne Row and James Lowſone, quho immediately returnit with anſuer, That his Grace had no leiſure to talke with them, for occupatioun.

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The haill Aſſemblie ordainit Mrs Johne Craig and Johne Brand to gang to his Grace for the ſame effect, and to report his anſuer the morne at nyne houres.

[In the trial of the Commiſſioners, Mr Peter Watſon was delated for marrying Garleis in a privat houſe: He granted, but alledged he followed the example of Mr Willock, who had done the lyke there: The Aſſembly in reſpect of the acts made, prohibiting privat celebration of marriage, ordained the ſaid Mr Peter to paſs to the pariſh kirk of Diſdeir, where the ſaid parties ſhould have been married, and upon a Sunday in preſence of the Congregation and Mr James Beton, Miniſter, confeſs his offence in tranſgreſſing of the ſaid act, which he ſhall alſo read in preſence of the people, and to report a teſtimonial to the next Aſſemblie from the ſaid Mr James of the performance of this ordinance. C.]

[The brethren direct to my Lord Regents Grace reported his Graces anſwer was, That he was ſo occupied in earneſt affaires of the Counſell, that he had no leiſure to conferre with them. C. & B.]

The Kirk hes thoght it meit that their brethren, John Brand and Mr John Craig paſſe againe to his Grace, and require his perſonal preſence in this Aſſembly, or Commiſſioners [to be directed from his Grace] authorized with his Commiſſion, [and to report his anſwer again the morn at nyne hours.]

Becauſe the matter of the Policie and juriſdictioun of the Kirk committit to the recollecting, formeing and diſpoſitioun of certaine brether, beand now preſentit be them, was thoght expedient to be proponit and entreatit the morne: after the reiding of the generall heids therof, the haill brether was requyrit to adviſe with themſelves if they fand any vther heids neceſſar to be diſputit then theſe, and to ſignifie the ſame to the Aſſemblie the morne.

Seſſio 3ª

Johne Brand returneit my Lord Regents Graces anſuer, That in reſpect of ſundrie importunat buſſines he could not have the Counſell ſo ſoone conveinit, he could not ſatiſfie the petition of the Kirk, deſyrand that the brether that were ſend to him befor, ſould come downe and ſpeak with his Grace; and becauſe the Kirk is labourand in the Policie, pray-

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and them to gang fordwart earneſtlie and put the ſame to end. The Kirk ordainit Mrs James Lowſone and Johne Row to paſſe to his Grace the morne according to his deſyre.

Mr Patrick Adamſone, in my Lord Regents Graces name, exhibite to the Aſſemblie a letter direct from the Queins Majeſtie of Ingland to his Grace, making informatioun of a certaine Counſell to have bein haldin at Magdeburg for eſtabliſhing of the Auguſtane Confeſſioun, with ane letter wrytin from the Caſſimire to her Majeſtie of that ſame argument, deſyre- and the Aſſemblie to advyſe if they thoght meitt that any of the learned Miniſters of this natioun ſall repare thither, and quhom they will name and find good to this effect: To the quhilk deſyre the Kirk continewit to give anſuer to the 28 day of this inſtant.

The reſidue of this day beand conſumed in examinatioun of the travells takin vpon the Policie, as it is notit thervpon, to the nixt Seſſion, the Kirk ordainis it to be proceidit farther therin.

Seſſio 5a

[Concerning the motion made be Mr Patrick Adamſon, in my Lord Regents Graces name, touching the reſolution of the Aſſembly if they thought needfull, That ſome of the brethren be directed to the Counſell which is to be held at Magdeburg, and whom they thought meet to be nominat thereto: C.] The Aſſemblie preſent in one mynd reſolvit and adjudgeit it very neceſſar, that ſome of the Kirk ſould be direct to the Counſell to be haldin at Magdeburg, and hes nominat any twa of the brethren following as ſalbe thoght moſt meit be my Lord Regents Grace, viz. Mrs Andro Melvill, Patrick Adamſone, David Cunighame, George Hay, David Lindeſay, William Chriſteſone, Alexander Arbuthnet and Robert Pont; whoſe names the Kirk ordaines to be preſentit to his Grace be Mr Craig, and to report his anſuer againe.

Compeirit Johne Anderſon in linnen cloathes, in preſence of the haill Aſſemblie; and being proſtrat on his knies, confeſſit he had offendit Mr Robert Boyd, Miniſter, in drawing of his blood, quherof he repentit with his heart, and aſked God and his Kirk forgivenes, promiſing, be the grace of God, not to fall in the lyke wickednes in tyme comeing.

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Seſſio 6ª

This Seſſioun being haillilie imployit in reaſoning vpon the heids of the [Policie and] Juriſdictioun of the Kirk, the ſame argument was ordained to be [proſecut and] followed out the morne, ſo farre as tyme may ſerve thervnto.

Seſſio 7ª

Concerning the number of the brethren givin in to his Grace, [who are to be directed to the Council which is to be halden at Magdeburg, Mr Patrick Adamſon reported my Lord Regents anſuer, That] it lyked him weill that the Kirk had givin him choiſe out of ſo reaſonable a number, and that, in his opinion, Mrs Andro Melvill, George Hay and Alexander Arbuthnet were meiteſt for the purpoſe; alwayes deſyred the advyce and judgement of the Aſſemblie heirin, that after he may take reſolutioun with his Counſell: The Kirk willit the ſaid Mr Patrick Adamſone with Mr Johne Craig and William Chriſteſone, to travell with his Grace to know farther his Graces mynd in this behalfe; and ſicklyke to deſyre his Grace to appoint the modifiers to conveine to the ordouring of the rolls of the Miniſters, and to report his Graces anſuer againe to the Aſſemblie.

[For anſwering of the complaints and queſtions to be given in to this Aſſembly: The Aſſembly hath appointed their bretheren, John Duncanſon, William Chriſtiſon, John Braid, Mr James Carmichael, to conveen at extraordinar hours to that effect; and als to viſit the proceſs of Kelſo, and to report their judgement to the Aſſembly. C.]

Seſſio 8ª

The perſons directit to his Grace [to know farther of my Lord Regents Grace his mind concerning the perſons directed to the Council which is to be holden at Magdeburg; and the ordering of the rolls,] reportit, That he lykit weill Mrs Andro Melvill and George Hay to be directit to the ſaid Counſell; alwayes he wald know the advyce of the Counſell therin, quherof he wald make them to be informed: And, con-

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cerning the rolls of Miniſters, had appointit the Abbot of Dumfermling, George Auchinleck, Mr Nicoll Elphinſtoun, and James Nicollſone to take ordour therwith.

Seſſio 9ª

Thomas Myrtone, feear of Cambo, and Mr Thomas Ramſay, gave in ane bill of accuſation againſt Mr Thomas Kynneir, Miniſter of Craill, conteinand ſundrie heids of ſlander layand againſt him, as, namely, ſuſpitions of adulterie with Agnes Guidland, ſpous to Sir Johne Browne, drunkennes, tuilzeſomenes, ſelling of the ſacraments: The ſaid Mr Thomas beand preſent denyit the haill poynts therof; and the ſaids bill beand referrit to the accuſers productioun for proving therof, they produceit David Fermour, David Monypennie, Mr James Haliburtoun, Proveſt of Dundie, Johne Herreis and Mr Thomas Fermour, quho being admittit, and nothing opponit againſt them be the ſaid Mr Thomas, were ordainit to be examined be William Chriſteſone and Johne Durie, and thair depoſitions to be preſentit againe to the Aſſemblie, to be conſidderit quhat they may import.

Seſſio 10ª

The depoſitioun of the witnes being examinat in the ſaid cauſe being reportit at afternoone, the Aſſemblie continewit the pronouncing of thair ſentence in the matter to the morne, and warnit both the parties therto.

Mr Androw Polwart was decernit to be frie and at libertie fra the kirk at Paiſlay, that he may ſerve vther quher it pleaſes God to call him; becauſe of the contempt of the diſcipline, thair manifeſt vyces, minacing and boaſting of him in doing his duetie, his labours cannot be profitable to them; beſydes ſome privat cauſes quhilk were conſidderit be Mrs Andro Hay, Alexander Arbuthnot, George Hay, and Andro Melvill, and they reportit thair judgement, quhervpon the decreit paſt.

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Seſſio 11a.

Anent the greivous accuſation laid againſ Mr Thomas Kynneir be the Laird of Cambo and Mr Thomas Ramſay, concerning his ſlanderous and vngodlie lyfe: The haill Aſſemblie, after publick reiding of the witneſſes and probatioun deduceit in the matter, and dew conſideratioun therof, and after takeing oath of the accuſers that they accuſe neither for malice nor choler, but for conſcience cauſe, knawand the accuſatiouns they charge him with to be trew, Decernes, all in ane voyce, the ſaid Mr Thomas to be depryvit, lykeas they depryve him of the Miniſtrie in all tyme comeing; debarreing him from the participation of the holie Supper of the Lord, ay and quhill his repentance be teſtified to the Generall Aſſemblie be the Viſitor of the Countrey quher he remaines, and humble ſupplicatioun be made be the ſaid Mr Thomas to the haill Aſſemblie, to be admittit therto, and receive thair anſuer to that effect: And that this ſentence be intimat in the Kirk of Craill in the pulpit therof be the Commiſſioner of the Countrey.

Seſſio 12a.

[Anent the determination of the Aſſembly concerning James Blackwood, Reader at Sauling, for marrying of the Commendator of Dumfermline and his wife, being reſident without his pariſh, without teſtimonials of the Miniſter of the pariſh where they make reſidence: The Aſſembly decerns the act made againſt ſuch perſons, the 27 day of December 1565, to be execut againſt him, to incurre the pains thereof, viz. deprivation of his office, tinſell of his ſtipend, and other pains, as the Generall Aſſembly ſhall thereafter think meet to be injoyned. C.]

Seſſio 13a.

Forſameikle as the heids of the Policie and Juriſdictioun of the Kirk beand haillilie red in the audience of the haill Aſſemblie, and thoght good [and expedient,] that the ſamein ſould be preſentit to my Lord Regents

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Grace, as was aggreeit be reaſoning amongſt the brethren, ſaifand the head, de Diaconatu, quhilk is ordained to be givin in with a note, That the ſame is aggreeit be the moſt part of the Aſſemblie, without prejudice of farther reaſoning: To the effect the ſaids heids may be put in mundo, diſpoſit and ſett in good ordour, according to the mynd of the Aſſemblie, the Aſſemblie hes willit Mrs James Lowſone, Robert Pont, David Lindeſay, and the Clark of the Aſſemblie, to travell with diligence therin: And the ſame beand put in mundo be them, according to the originall, to be ſein and reviſit be Johne Duncanſone, David Fergusone, the Laird of Dunne, if he be preſent, Mr James Carmichaell and Johne Brand; and beand found be them according to the originall, to be preſentit be the ſaids Mrs James Lowſone, Robert Pont and David Lindeſay, together with ane ſupplicatioun pennit and delyverit to them be the Kirk, to my Lord Regents Grace: and in cace conference and reaſoning be ſocht be his Grace vpon the ſaids heids preſentit to his Grace, the Aſſemblie hes ordainit Mrs Patrick Adamſone, the Laird of Dunne, Johne Craig, Johne Row, Alexander Arbuthnet, Andro Melvill, James Lowſone, Robert Pont, David Lindſay, Andro Hay, George Hay, and Johne Duncanſone, to concurre and awaite vpon the ſaid Conference as they ſalbe advertiſed be his Grace.

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